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Transnational Climate Accountability and Intergenerational Justice: Legal Pathways and Institutional Responses to the 2026 Himalayan Nepal–Tibet Tsunami

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Abstract

This scholarly petition examines the extraterritorial, ecosocial, legal, and intergenerational dimensions of the catastrophic Himalayan Tsunami flash flood that devastated Nepal's Bhotekoshi River corridor on August 26, 2026. Grounded in "Himalayan Nepal–Tibet Tsunami: Genesis, Causes, and Critical Justice Appraisals" (www.ijfmr.com/papers/2026/5/88989.pdf; DOI: 10.36948/ijfmr.2026.v08i05.88989), the petition is submitted by the Fair Start Movement and Truth Alliance Global. It highlights the structural inequities of anthropogenic climate change: despite contributing less than 0.1% of global greenhouse gas emissions, Nepal experiences disproportionate economic, non-economic, and sociocultural losses, underscoring the inequitable distribution of climate-related risks, vulnerabilities, and harms.

Addressed to the Connecticut Attorney General as a pilot model, the petition examines whether existing statutory and enforcement mechanisms concerning consumer protection, corporate accountability, investment transparency, and carbon-intensive entities could contribute to addressing transboundary climate harm. Recognizing the historical emissions of industrialized economies, it seeks a preliminary assessment of relevant legal authorities and potential institutional avenues without presuming extraterritorial jurisdiction or predetermined liability.

Guided by five interconnected pillars: ontological, environmental, epistemic, intergenerational, and decolonial justice, the petition advances a multidimensional approach to climate-related loss and damage. It calls for scrutiny of structural inequalities that disproportionately expose vulnerable communities to environmental harm and transfer its consequences to children, present generations, and those yet unborn. Ultimately, it seeks to identify legally viable pathways toward climate accountability, equitable redress, and the protection of present and future generations, grounded in responsibility, fairness, and intergenerational justice.

Keywords: Himalayan Tsunami, Bhotekoshi, Nepal, Climate Change, Loss and Damage, ontological justice, environmental justice, epistemic justice, intergenerational justice, decolonial justice, Fair Start Movement, and Truth Global Alliance.

The Honorable William Tong
Attorney General
Office of the Attorney General

State of Connecticut
165 Capitol Avenue
Hartford, Connecticut 06106

Subject: Formal Petition Concerning Climate Change, Loss and Damage, Transnational Legal Obligations, and Intergenerational Justice: The 2026 Himalayan Tsunami in Nepal and the Rights of Present and Future Generations

Dear Attorney General Tong,

Martin Luther King Jr. famously observed that "Injustice anywhere is a threat to justice everywhere." Guided by this foundational principle of global equity, we respectfully submit this scholarly and research-based petition seeking appropriate legal, institutional, and investigatory action concerning the catastrophic climate-induced disaster that struck Nepal's Bhotekoshi River corridor on August 26, 2026. This petition seeks to protect poor, vulnerable, and structurally disadvantaged communities, particularly children, and to advance equal human dignity and systemic justice irrespective of birthplace, sex, nationality, or socioeconomic circumstances.

The Fair Start Movement and Truth Alliance Global advance an integrated, justice-centered framework grounded in five pillars, 'ontological justice, intergenerational justice, epistemic justice, decolonial justice, and environmental justice,' interconnected principles.

Together, these principles necessitate transparent governance, non-discriminatory statutory enforcement, equitable resource allocation, evidence-based policymaking, and accessible transboundary legal remedies. Substantive justice must transcend purely formal, state-centric, or declaratory frameworks to achieve measurable, sustainable outcomes.

We, the undersigned representatives of the Fair Start Movement, Truth Alliance Global, and a coalition of concerned global citizens, respectfully request that your office examine the extraterritorial legal, humanitarian, environmental, and intergenerational implications of this climate crisis. Within the limits of your lawful jurisdiction, particularly regarding consumer protection, corporate accountability, investment transparency, and the state-level regulation of entities contributing substantially to global emissions, we urge you to consider applicable constitutional and statutory provisions, relevant transnational responsibilities, climate-related loss and damage, and potential avenues for state-level accountability or international cooperation on behalf of affected communities.

Particular focus must be directed toward children, economically marginalized populations, and unborn generations, whose fundamental rights to life, health, and a stable climate are disproportionately threatened by structural environmental destruction. Consequently, we request that your office review the empirical evidence detailed herein, evaluate relevant obligations within Connecticut's jurisdictional purview, and explore progressive enforcement measures consistent with applicable state and federal laws. This petition examines the disaster's documented circumstances and cascading consequences, Nepal's formal request for international loss-and-damage support, relevant case studies, and progressive developments in international climate governance. It addresses the interconnected questions of climate responsibility, human rights, climate finance, birth equity, institutional accountability, and the rights and interests of unborn generations.

Our central proposition is that justice begins with the recognition of every human life's equal worth and extends across national boundaries, legal jurisdictions, and generations. We respectfully seek your consideration of lawful measures that advance accountability, equitable protection, and a just, sustainable future.

1. Introduction

At the opening of the 81st session of the United Nations General Assembly (UNGA) on September 22, 2026, United Nations Secretary-General António Guterres recalled his 2023 warning in Nepal regarding the accelerating degradation of Himalayan glaciers. Guterres observed:

"Three years ago, in the mountains of Nepal, I sounded the alarm on accelerating glacier melt, warning that the rooftops of the world are caving in. Some dismissed it all as overstating dangers. But as tragic events have shown, impacts are arriving sooner, hitting harder, and spreading further than many anticipated" (globalnation.inquirer.net/339119/uns-guterres-recalls-nepal-glacier-warning-as-climate-risks-grow).

This warning provides a critical contemporary baseline for examining the acute climate risks confronting the highly vulnerable Hindu Kush-Himalayan (HKH) region, as well as evaluating the structural adequacy of prevailing international legal frameworks and environmental governance arrangements.

The urgency of this crisis was further underscored during the same UNGA session on September 24, 2026. In an unscripted address, Nepalese Prime Minister Balendra Shah framed the catastrophic Bhotekoshi flash floods of August 26, as both a geopolitical and ecological inflection point. Shah altered his delegation's original focus, which prioritized domestic development, democratic governance, and peacebuilding, to mount an urgent appeal for international intervention. Characterizing the disaster as a "Himalayan Tsunami," Shah situated the event within the broader discourse on asymmetrical climate vulnerability, arguing that mountain communities face disproportionate exposure to environmental hazards they did not generate.

Shah noted that the previous warnings issued from the "rooftop of the world" had failed to elicit sufficient political urgency or institutional responsiveness from the international community. This rhetorical framing positions the Bhotekoshi disaster as a systemic failure of global climate governance, preventive diplomacy, and international solidarity. While acknowledging immediate humanitarian assistance from neighboring India and China, Shah highlighted the severe socio-economic toll of the disaster, which resulted in more than 1,400 confirmed fatalities, over 6,000 missing persons, and reconstruction costs estimated at approximately 10 percent of Nepal's gross domestic product (GDP). Consequently, despite contributing less than 0.1 percent of global greenhouse gas emissions, Nepal faces severe fiscal constraints and the prospect of compounding its national debt to fund climate adaptation and disaster recovery.

To address the transboundary reality of ecological crises, Shah noted that climate impacts bypass sovereign boundaries, famously stating that "glaciers and floods do not travel with a visa stamped on passports." He classified the disaster as a development emergency that severely compromises critical infrastructure, agrarian stability, and clean-energy transitions. To mitigate these vulnerabilities, Shah advocated for the operationalization of the principle of Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC) through the establishment of a Himalayan Climate Resilience Mechanism. This proposed institutional framework would entail joint ecological leadership by Nepal, India, and China to safeguard the HKH hydrological system, which sustains nearly two billion people downstream.

Domestically, Nepal has pursued rigorous mitigation strategies, including preserving approximately 50 percent forest cover, expanding clean hydropower capacity, and transitioning to electric mobility. However, Shah emphasized that these localized efforts require robust external capitalization. He advanced a prescriptive "6Rs" framework—comprising Relief, Rehabilitation, Reconstruction, Responsibility, Reparation, and Resilience—to guide climate-responsive recovery and long-term adaptation. Furthermore,

Shah critiqued the bureaucratic inertia within the Fund for Responding to Loss and Damage (FRLD), asserting that procedural delays actively undermine the tenets of climate justice: "When the house is burning, we do not ask the family to complete fifty forms. We act." He contrasted the protracted administrative delays in securing basic agricultural inputs for human survival with the rapid international mobilization of military armaments, concluding that genuine climate justice requires both distributive and procedural equity for small island developing states (SIDS), landlocked least-developed countries (LLDCs), and future generations.

Evidently, the climate crisis has evolved beyond a narrow environmental paradigm into a complex nexus of international state responsibility, human rights obligations, and intergenerational equity. Glacier retreat, extreme hydrological events, forced displacement, and compounding economic and non-economic losses disproportionately affect populations possessing the lowest adaptive capacities. Within the international climate regime, equity and the principle of CBDR-RC serve as foundational normative parameters. The Warsaw International Mechanism for Loss and Damage (WIM), established at COP19 in 2013, initially institutionalized global mechanisms to address climate-induced disruptions in highly vulnerable developing nations. This was further consolidated under Article 8 of the Paris Agreement, which explicitly recognizes the necessity of averting, minimizing, and addressing loss and damage associated with both extreme weather events and slow-onset phenomena. Although Article 8 does not establish a binding regime of state liability or financial compensation, it anchors loss and damage within a matrix of international cooperation, risk transfer, and institutional support.

Against this backdrop, the 2026 Bhotekoshi disaster serves as a vital case study for evaluating the intersections of climate vulnerability, transboundary obligations, and institutional loss and damage. This paper examines these dynamics through an integrated analytical framework that pursues five distinct dimensions of justice: environmental, intergenerational, decolonial, epistemic, and ontological. By interrogating these interconnected fields, this study evaluates the capacity of contemporary international law to deliver holistic equity to the frontline communities of the Anthropocene.

2. Objectives of the Petition

The principal objective of this petition is to examine the August 26, 2026, Himalayan Tsunami not merely as an isolated disaster, but as a multidimensional socio-ecological crisis exposing structural inequalities, colonial legacies, and deficiencies in climate governance, humanitarian assistance, legal accountability, and institutional responsibility. Guided by the principles of environmental, intergenerational, epistemic, decolonial, and ontological justice, the petition seeks to:

2.1 Advance Environmental Justice: Document human, infrastructural, economic, and ecological harms; examine cascading and transboundary risks; and promote equitable climate adaptation, ecological restoration, and accountability for environmental damage.

2.2 Safeguard Intergenerational Justice: Assess immediate and long-term losses affecting children, youth, and future generations, emphasizing their rights to life, dignity, education, ecological security, and a habitable planet.

2.3 Uphold Epistemic Justice: Recognize affected communities, Indigenous peoples, local practitioners, and marginalized groups as legitimate knowledge holders. Integrate their lived experiences, traditional ecological knowledge, and locally grounded evidence into disaster assessment, early-warning systems, and policy formulation.

2.4 Ensure Decolonial Justice: Critically evaluate unequal power relations, historical responsibilities, and structural exclusions embedded in international climate finance, loss-and-damage mechanisms, and disaster governance. Promote equitable access to resources, meaningful participation, and accountability beyond state-centric and market-driven approaches.

2.5 Recognize Ontological Justice: Protect the dignity, identities, relationships, cultural practices, and ecological lifeworld disrupted by disaster. Account for non-economic and potentially irreversible losses, including bereavement, family separation, cultural dislocation, and the destruction of place-based relationships with nature.

3. Methodology and Analytical Approach

This petition adopts a qualitative, interdisciplinary case-study methodology integrating socio-ecological impact assessment, critical climate-risk analysis, lived-experience narratives, international legal review, and intergenerational loss assessment. It prioritizes affected communities' testimonies, forensic dignity for missing persons, and the recognition of Indigenous and local knowledge while critically examining the limitations of existing climate-governance and loss-and-damage frameworks.

A **network-tracking approach** examines interconnected causes, cascading vulnerabilities, institutional responsibilities, and unequal distributions of harm across geographical, social, and temporal scales. Drawing on **"Himalayan Nepal–Tibet Tsunami: Genesis, Causes, and Critical Justice Appraisals"** (DOI: 10.36948/ijfmr.2026.v08i05.87969), the petition seeks to distinguish recoverable from irreversible losses and advance evidence-based, decolonial, and justice-centred reforms in climate governance, disaster prevention, humanitarian response, and ecological restoration.

4. Background: Context and Immediate Impacts of the Himalayan Tsunami

The Himalayan Tsunami of August 26, provides a critical case through which to examine the interconnections among environmental disruption, human vulnerability, institutional responsibility, and multidimensional justice. Beyond its immediate physical destruction, the disaster raises fundamental questions about whose lives and livelihoods are protected, whose knowledge informs disaster governance, whose losses are recognized, and who bears responsibility for risks extending across national borders and generations. An analysis grounded in ontological, decolonial, intergenerational, epistemic, and environmental justice therefore requires examining the disaster not merely as a catastrophic physical event, but also as a manifestation of interconnected ecological, social, economic, and institutional vulnerabilities.

4.1. Context and Immediate Human Consequences

At approximately 8:40 a.m. on August 26, 2026, life in Timure Bazaar, Rasuwa District, Nepal, followed its ordinary commercial and social rhythms. Residents prepared breakfast, traders opened their shops, visitors purchased goods, and workers sought daily wages. At tea shops, people gathered for morning meals and conversation. The customs area was particularly active, with traders processing documentation for goods transported from China, hundreds of electric vehicles awaiting clearance, and drivers and transport operators negotiating freight arrangements for onward journeys to Kathmandu. Porters and informal workers carried heavy loads or waited for employment, reflecting the economic importance of cross-border commerce to households dependent on daily earnings.

Tourists from three-dozen countries were resting in hotels or arranging their onward journeys after long travels. Customs officials, security personnel, brokers, merchants, and logistics operators were preparing

for routine activities. Police, Armed Police Force personnel, and the Nepali Army operated within established border-governance arrangements. The marketplace consequently represented more than a commercial corridor: it was a shared social space in which local livelihoods, international mobility, public administration, and transnational economic relations intersected.

Suddenly, a thunderous roar reverberated through the Bhotekoshi River corridor, accompanied by violent ground vibrations. People fled from shops, homes, and offices toward higher ground. A catastrophic surge of water, sediment, boulders, uprooted trees, vehicles, and other debris swept downstream from the direction of the Chinese side, demolishing Nepal's seven-story customs building and surrounding infrastructure. The torrent advanced with such force that occupants of some vehicles reportedly could not open their doors to escape. Within seconds, the customs complex, nearby administrative facilities, banking institutions, hotels, residences, roads, and other essential infrastructure were devastated.

The destruction transformed an ordinary morning into a humanitarian catastrophe. People were killed, injured, displaced, separated from their families, or left missing without immediate confirmation of their fate. The speed and magnitude of the event overwhelmed ordinary mechanisms of evacuation, communication, and emergency response. Survivors confronted not only physical devastation but also the sudden disappearance of familiar places, social relationships, and the institutional structures through which everyday life had been organized.

From an ontological justice perspective, this destruction raises questions about the conditions necessary for individuals and communities to exist with dignity, continuity, security, and recognition. Ontological justice concerns more than the protection of biological survival. It also encompasses the social, cultural, ecological, and relational conditions through which people maintain identity, belonging, meaningful livelihoods, and a viable future. When homes, communities, cultural landscapes, and essential infrastructure disappear together, the resulting harm extends beyond the loss of material possessions. It disrupts the foundations of personal and collective existence.

The disproportionate exposure of informal workers, economically disadvantaged households, children, migrants, and people dependent on riverine livelihoods also raises questions of distributive justice. Those with limited resources may have fewer opportunities to obtain early warnings, access safe evacuation routes, recover lost assets, or rebuild their livelihoods. Justice therefore requires examining not only the magnitude of the hazard but also the social conditions that shape exposure, vulnerability, survival, and recovery.

4.2. Scientific and Anthropogenic Drivers: Beyond a Single-Cause Explanation

Scientific assessments cited in the original account identify interacting climatic, geological, and environmental conditions associated with the disaster. The World Weather Attribution research network examined factors including glacial dynamics, temperature anomalies, and precipitation conditions. Researchers associated with the network, including Dr. Friederike Otto of Imperial College London and Dr. Walter Immerzeel of Utrecht University, have been identified in the source material as contributors to the scientific assessment (https://www.worldweatherattribution.org/).

According to the reported findings, a glacial collapse involving an estimated 200,000-square-meter area triggered a major landslide that displaced approximately 110 million cubic meters of debris. Temperatures during July and August were reportedly 1.5–2.0°C above historical averages, contributing to permafrost degradation at elevations exceeding 5,200 meters and potentially weakening previously frozen mountain formations.

The assessment also identifies the legacy of the 2015 Gorkha earthquake, substantial winter snowfall in 2025, rapid summer snowmelt in 2026, and a long-term increase of approximately 100 meters in the atmospheric freezing level since 1980. The reported upward shift in the freezing level is consistent with broader concerns about changing precipitation regimes and the increasing likelihood of rainfall rather than snowfall under particular atmospheric conditions. These factors illustrate the importance of investigating interactions among climate change, mountain instability, snow and ice dynamics, hydrological processes, and exposure to cascading hazards (https://www.worldweatherattribution.org/).

The precise contribution of anthropogenic climate change to this particular event must, however, be established through the relevant scientific attribution findings. The existence of a disaster in a warming region does not, by itself, establish that climate change caused the event or determine the proportion of responsibility attributable to particular actors. A scientifically defensible assessment must distinguish observed conditions, plausible causal mechanisms, quantified attribution findings, and remaining uncertainties.

This distinction is central to epistemic justice, which requires that scientific claims be transparent, evidence-based, open to scrutiny, and responsive to uncertainty. It is equally important for legal accountability: establishing responsibility for loss and damage requires a careful examination of causal contribution, foreseeability, applicable duties, and the relationship between environmental change and institutional decisions.

Nevertheless, uncertainty about the precise contribution of individual drivers should not become a justification for ignoring foreseeable risks. Where scientific evidence identifies potentially catastrophic hazards, public authorities and relevant institutions have strong reasons to strengthen monitoring, early-warning systems, land-use planning, evacuation arrangements, and transboundary information-sharing.

A cascading-risk framework is therefore more appropriate than a single-cause explanation. It recognizes that climatic and geological processes can interact with infrastructure decisions, settlement patterns, environmental degradation, and limitations in disaster preparedness. The resulting losses may be shaped by both physical processes and human decisions concerning where and how people live, work, travel, and conduct economic activities.

4.3. Humanitarian Scale and the Recognition of Loss and Damage

According to the figures reported in the original account, by late September 2026, approximately 1,451 bodies and human remains had been recovered and managed, while 5,786 people remained missing, including 610 foreign nationals. Government agencies reportedly recorded 13,784 rescues. Approximately 32,963 people were directly affected, and 7,570 private houses were damaged, with 8,317 households affected across five districts. Agricultural and livestock assessments also indicated losses exceeding 9,000 cattle and buffaloes, 26,000 small ruminants, and 214,000 poultry, alongside extensive damage to crops, fisheries, irrigation systems, and livelihoods (https://mofnepal.github.io/rasuwa-flood-update/en/rescue/).

A total of 610 foreign nationals from 36 countries were still missing by the catastrophic tsunami. The largest groups were from India (189), the United States (65), Malaysia (55), Ukraine (54), China (37), Australia (33), Latvia (33), the United Kingdom (32), and Canada (30). Others were reported missing from countries including Singapore, Germany, Russia, South Africa, New Zealand, Japan, France, Kazakhstan, Belarus, Ireland, the Netherlands, Portugal, Spain, Belgium, Italy, Finland, Hungary, Israel, Lithuania, Sweden, Switzerland, Vietnam, Estonia, the Philippines, and others. Figures remain subject to verification as search operations continue (https://radionepalonline.com/en/2026/09/17/436209.html).

The humanitarian consequences must be understood through several dimensions of justice. Distributive

justice concerns the fair allocation of protection, assistance, compensation, and recovery resources. Ontological justice recognizes the destruction of lives, identities, relationships, homes, and the conditions of meaningful existence. Epistemic justice requires missing persons, unidentified remains, community experiences, and non-economic losses to be documented without reducing their significance to what administrative systems can easily count. Intergenerational justice requires recovery decisions to protect future inhabitants from inherited environmental instability and institutional neglect.

Conventional damage assessments frequently privilege quantifiable losses, such as destroyed buildings, vehicles, roads, and commercial assets. Although these losses are significant, they do not exhaust the meaning of a disaster. The disappearance of a child, the inability to identify a family member, the destruction of a culturally significant landscape, or the loss of an ecological system may generate profound harms that cannot be adequately represented by monetary valuation (https://besjournals.onlinelibrary.wiley.com/doi/full/10.1002%2Fpan3.10572).

A justice-centered assessment must therefore combine quantitative indicators with qualitative evidence, community testimony, ecological assessment, cultural understanding, and long-term monitoring. It must also recognize that uncertainty in casualty figures or incomplete evidence of loss does not diminish the dignity of those affected.

4.4. Presumed Death, Ritual Mourning, and Ontological Justice

The disaster disrupted not only physical survival but also the social and cultural processes through which communities recognize death, maintain relationships, and achieve a measure of closure. On August 26, a group of 31 pilgrims from Dhading, including 14 married couples and their relatives, travelled toward Gosaikunda. At approximately 9:45 a.m., one traveler reportedly telephoned relatives to explain that the flood had swept away their vehicle and that the group had taken refuge on the roof of a house. Communication was subsequently lost.

Relatives began searching for the missing pilgrims amid widespread destruction. The recovery of Savitri (Gayatri) Lamsal's body three days later confirmed at least one death. After her body was returned to Dhadingbesi, her family initiated symbolic mortuary rites for her missing husband, Shivahari Lamsal, using an effigy made from kush grass (Eragrostis cynosuroides) and camphor. Other families similarly performed final rites for relatives whose bodies had not been recovered.

This experience demonstrates how disappearance generates a distinctive form of suffering. Families must navigate the uncertainty of whether their relatives are alive, the practical demands of searching, the social expectations surrounding mourning, and the absence of physical remains through which death might ordinarily be confirmed.

From an ontological justice perspective, the missing person remains socially present through memory, kinship, obligation, and hope, even when physical presence can no longer be established. Families are consequently compelled to make decisions under conditions of profound uncertainty. Ritual practices provide a culturally meaningful response, but they cannot replace effective search operations, reliable identification procedures, or official recognition of unresolved disappearance.

The case reported by eKantipur illustrates the cultural and emotional consequences of performing final rites without recovered remains: https://ekantipur.com/news/2026/09/01/after-a-week-kushs-body-was-not-found-and-the-last-rites-were-performed-23-29.html. Justice requires culturally respectful assistance, transparent missing-person registries, accessible identification services, appropriate psychosocial support, and sustained communication with families. Authorities must also avoid treating ritual closure as proof that a search should end when reasonable possibilities of survival or recovery remain.

4.5. Forensic Identification: Epistemic Justice amid Environmental Destruction

The disaster created exceptional challenges for forensic medicine and disaster victim identification. Human remains were fragmented, dispersed across extensive areas, and exposed to unstable environmental conditions. Clothing and other contextual identifiers were frequently lost, while damaged roads and limited facilities prevented the routine transportation of remains to hospital-based mortuaries.

A forensic team led by Dr. Salmali Yadav of Patan Hospital was therefore deployed to the affected region. Because roads had been severely damaged, the initial plan to transport remains to a hospital was abandoned. The team travelled by Nepal Army helicopter to Timure. Dr. Yadav described the site as appearing almost unreal, with no functioning human settlement and virtually every building collapsed. Dr. Yadav recalls, "Upon arriving in Timure, it felt as though I was witnessing a scene from a film; there was a complete absence of human presence, and every building had collapsed."

Consequently, a multidisciplinary team, comprising forensic physicians, police personnel, documentation specialists, and DNA collectors, had to perform identifications directly at the disaster site without standard laboratory or mortuary infrastructure. Operations were severely constrained by hazardous environmental risks, including unstable terrain, collapsed structures, flood debris, and the volatile Bhotekoshi River, which compromised the establishment of a safe and systematic forensic workspace. At Timure, even basic requirements had to be improvised. Dr. Yadav notes, “In a few locations, water taps remained functional. We had to fetch water from there in buckets to the spots where the bodies were discovered to cleanse them. Managing as best as we could, we preserved the available evidence.”

The flood had transported many bodies considerable distances, while decomposition had already begun. Cleaning and systematic examination were therefore essential for recovering residual post-mortem identifiers, including tattoos, scars, moles, distinctive injuries, jewelry, and fragments of clothing, and the collection of DNA samples. Minor omission could later impede identification or complicate comparison with ante-mortem records.

The operational conditions deteriorated further on the second day as 100 bodies were recovered, creating significant physical risks during examination and recovery. The identification process was consequently both technically demanding and operationally hazardous. She remembered, “The ground itself seemed to collapse as we walked. We had never experienced anything like that. Our feet became trapped in several places. Fortunately, the Army and police personnel were there to help us out.”

The team encountered further environmental hazards due to marshy, unstable ground, decomposing bodies, and environmental degradation. Among the most distressing observations for Dr. Yadav was the discovery of the severely dismembered body of a pregnant woman. As decomposition progressed, the uterus had exposed the remains of a fetus estimated to be approximately five months into gestation. Salmali said emotionally, 'Seeing that scene made my heart heavy; even now, that same scene keeps flashing back and leaves me distraught from time to time.”

The journey from Timure toward Syafrubesi presented another dimension of the disaster. In several areas, there were no functioning houses, residents, or families searching for missing relatives. Instead, the landscape was dominated by ruins, mud, water, debris, and remnants of the destroyed settlements. Unlike conventional forensic practice in controlled hospital settings, disaster-site investigations require specialists to adapt procedures to unstable terrain, fragmented remains, environmental exposure, limited equipment, constrained transportation, and ongoing recovery operations.

Upon returning from Rasuwa, Dr. Yadav confronted two fundamental questions: how she and her colleagues had survived the hazardous field conditions and whether the evidence collected under such

circumstances would ultimately enable unidentified remains to be restored to persons with names, identities, and familial connections (https://english.onlinekhabar.com/forensic-hardest-case.html).

Epistemic justice in disaster response requires treating identification as both a scientific responsibility and a fundamental matter of human dignity. An unidentified body is not simply an unresolved administrative record; it represents a person whose identity, relationships, and life history deserve recognition. Families also possess knowledge that can assist identification, including descriptions of physical characteristics, personal belongings, medical histories, and last known movements.

Effective disaster victim identification therefore requires collaboration among forensic professionals, police, civil registries, health institutions, local communities, and families. Transparent documentation, secure evidence management, DNA comparison, culturally appropriate communication, and adequate institutional resources are essential. Environmental protection and emergency preparedness are therefore connected to epistemic justice: preventing avoidable destruction also protects the conditions under which deaths can be investigated, identities established, and accountability pursued.

4.6. Educational Disruption and the Rights of Missing Children

The Bhotekoshi disaster reportedly disrupted education for more than 14,500 children across 63 educational institutions in Rasuwa, Nuwakot, and Dhading. A government assessment identified approximately 9,430 directly affected children, including those who lost parents, homes, or schools. Twenty-eight of 29 temporary holding centers for displaced people were reportedly operating in school buildings, further restricting educational access.

At least 102 children reportedly lost both parents. Nearly 500 enrolled students remained unaccounted for, while 1,372 students were displaced. Thirty-four educational institutions sustained damage affecting 45 buildings and 268 classrooms. Eleven schools were completely closed and four remained temporarily closed. The reported damage also included 3,232 textbooks, 2,227 teaching-learning sets, 4,561 desks and benches, 194 computers, 144 laptops, and water and sanitation facilities. These figures were reported by The Kathmandu Post: https://kathmandupost.com/national/2026/09/18/bhotekoshi-floods-disrupt-schooling-for-14-500-children-in-three-districts.

The disappearance of four-year-old Rinjen Dong Tamang illustrates the human consequences behind these statistics. His father, Sanch Tamang, reportedly searched daily after the disaster, visiting temporary holding centers, administrative offices, police facilities, medical institutions, and municipal offices. Rinjen had enrolled in a playgroup at Uttargaya Public English Boarding School in Betrawati in May. Because of his age, he could not reliably identify himself or provide information about his parents. His father expressed concern about the circumstances of the evacuation and the lack of official information concerning the child's fate. The case was reported by Setopati: https://www.setopati.com/social/398682.

From a child-centered and intergenerational justice perspective, this case raises fundamental questions about whether disaster-governance arrangements adequately protect those least capable of protecting themselves. Young children cannot independently access warning systems, navigate dangerous terrain, communicate identifying information, or demand institutional accountability. Their safety consequently depends on adults and institutions exercising appropriate duties of care.

Child-sensitive disaster planning must include age-appropriate evacuation arrangements, reliable school attendance records, emergency contact information, reunification protocols, coordinated missing-child registries, and trained personnel responsible for child protection. Schools and childcare facilities must also have clear evacuation responsibilities and procedures suited to the hazards they face.

Educational recovery must extend beyond rebuilding classrooms. Children need continuity of learning, psychosocial support, accessible sanitation, protection from exploitation, and safe environments in which to regain stability. Where parents or guardians are missing, authorities must establish appropriate safeguarding and family-tracing mechanisms.

Intergenerational justice is especially relevant because children bear consequences that may persist long after emergency assistance ends. Interrupted education, unresolved family separation, psychological distress, and the loss of secure housing can shape developmental opportunities for years. A just recovery must therefore evaluate success not solely by the speed of infrastructure reconstruction, but by whether children's rights, capabilities, safety, and future prospects are restored.

4.7. Psychosocial Trauma, Family Separation, and the Ethics of Care

The disaster generated extensive psychological and social consequences for children. At a relief site, one child reportedly stated, "I do not need anything. What would I do with it? I have nowhere to take it or keep it." The statement conveys the limitations of material assistance when a child has lost the home and relationships that previously gave possessions meaning.

The National Child Rights Council's Rapid Assessment Report 2083 (2026), as cited in the original account, identified 1,233 children in 30 temporary holding centers across Rasuwa, Nuwakot, and Dhading. Of these, 102 had reportedly lost both parents, 439 were separated from their parents, 691 lived with one parent, and 21 were children with disabilities. Reported responses included fear, withdrawal, silence, sleep disturbance, social isolation, and heightened reactions to water and loud sounds. Some children used drawings to communicate experiences they found difficult to describe verbally. These responses demonstrate the importance of recognizing different forms of expression and avoiding assumptions that children who remain silent have experienced less distress (https://www.ncrc.gov.np/category/report/).

Family separation also creates risks of trafficking, child marriage, labor exploitation, and sexual abuse. Reports concerning children placed in private households reinforce the need for systematic registration, family tracing, reunification, monitoring of alternative care, and accessible complaint mechanisms. Repeatedly requiring children to recount traumatic experiences may create additional distress. One girl reportedly asked, "How many more people do we have to tell our painful story to?" Her question raises an important issue of epistemic and procedural justice: institutions must obtain information necessary for protection and accountability without turning children's suffering into an unnecessarily repeated administrative exercise (https://www.onlinekhabar.com/2026/09/2019967/the-flood-in-bhotekoshi-has-subsided-but-the-fear-in-the-minds-of-children-has-not-diminished).

A justice-centered response must place children's dignity, privacy, and developmental needs at the center of humanitarian assistance. This requires trained psychosocial professionals, culturally appropriate support, safe recreational and educational spaces, disability-inclusive services, and coordinated protection systems. It also requires an understanding of trauma as relational and environmental. Children's recovery depends not only on individual counselling but also on family reunification, stable accommodation, trustworthy caregivers, safe surroundings, and the restoration of meaningful daily routines. Intergenerational justice demands sustained support rather than a temporary response that ends when public attention shifts elsewhere (https://www.unicef.org/reports/community-based-mental-health-and-psychosocial-support-guidelines-2019).

4.8. Assumed Death and Unexpected Survival: Precaution and Institutional Accountability

The experience of Anand Shrestha and Chandrika Shrestha in Betrawati, Nuwakot, further illustrates the uncertainty created when conventional search-and-rescue arrangements are disrupted. The couple's four-

storey house was reportedly swept away by the flood while their two sons were in Kathmandu. After eight days of unsuccessful searching, the sons initiated traditional mortuary rites on September 3 using kush-grass effigies. On the third day of mourning, Chandrika Shrestha, aged 64, was reportedly recovered alive from a damaged structure. Priests subsequently conducted the prescribed ritual process to conclude the mourning observances associated with her. Mourning for Anand Shrestha, who remained missing, was deferred. The account, reported by Onlinekhabar, prompted community demands for systematic searches of damaged structures and displaced properties (https://www.onlinekhabar.com/2026/09/2011274/kushs-body-was-cremated-yesterday-but-he-was-rescued-alive-today).

This case demonstrates the ethical consequences of incomplete information. Families may be forced to make culturally significant decisions without reliable evidence of death, while rescue agencies must determine how to allocate limited resources across extensive areas of destruction. The survival of Chandrika Shrestha reinforces the importance of systematic searches wherever survival remains reasonably possible. It does not establish that every missing person remains alive or that every structure can be searched without unacceptable risk. Rather, it highlights the need for transparent search criteria, documented procedures, coordinated information-sharing, and regular communication with affected families.

From an epistemic perspective, absence of evidence must not automatically be treated as evidence of death. From an ontological perspective, families deserve to have their uncertainty recognized as a continuing form of harm. From a procedural-justice perspective, search decisions should be explainable, evidence-based, and open to appropriate review. A just emergency-response system must balance operational constraints with the moral importance of each missing person. It must also ensure that uncertainty is not used to deny families information, procedural fairness, or access to available support.

4.9. Environmental Justice and Non-Economic Loss and Damage

The disaster's environmental consequences extended beyond the immediate destruction of settlements and infrastructure. Large quantities of mud, sediment, boulders, and other debris were transported downstream, altering riverbeds, channel morphology, sediment regimes, and water-flow patterns. Aquatic habitats supporting native fish, insects, microorganisms, and vegetation were destroyed or substantially modified. These changes can affect ecological relationships, water quality, fisheries, agricultural production, and the livelihoods of communities dependent on river systems. Damage to riparian vegetation, aquatic habitats, and riverine processes also undermine the natural systems that regulate erosion, support biodiversity, and sustain local economies. Such losses cannot be adequately represented by inventories of damaged buildings, roads, vehicles, or commercial assets. Ecological recovery requires decades, while the disappearance of particular species or the destruction of unique habitats may be irreversible. The original research account identifies these issues in its discussion of Himalayan cascading-disaster risks (https://doi.org/10.36948/ijfmr.2026.v08i05.87969).

Environmental justice requires recognizing that ecological systems possess significance beyond their immediate economic utility to humans. Human communities depend on functioning ecosystems, but the moral and ecological importance of rivers, forests, wildlife, and biodiversity cannot be reduced entirely to the services they provide. A justice-centered framework must therefore consider both human dependence on nature and the intrinsic significance of the living world.

This approach also intersects with decolonial justice. Mountain communities possess place-based knowledge of rivers, forests, weather patterns, traditional livelihoods, and ecological change. Such knowledge should be considered alongside scientific monitoring, geological assessment, hydrological

modelling, and climate attribution research. Neither local knowledge nor formal scientific expertise should be treated as automatically infallible; rather, legitimate environmental governance requires respectful, transparent engagement among different knowledge systems.

Intergenerational environmental justice adds another dimension. The destruction of biodiversity, degradation of river systems, and failure to restore ecological functions may transfer substantial costs to children and future generations. Those who inherit the consequences may not have participated in the decisions that produced or aggravated the risks. They may also lack the political influence necessary to demand preventive action.

A just recovery must consequently protect future ecological resilience rather than simply reconstructing the physical arrangements that existed before the disaster. This requires scientifically informed river restoration, biodiversity monitoring, responsible sediment management, risk-sensitive land-use planning, resilient infrastructure, and the participation of affected communities in long-term environmental decisions.

4.10. Harmonizing the Five Dimensions of Justice

The Himalayan Tsunami exposes the inadequacy of disaster governance that treats loss and damage primarily as an emergency-management problem or a measurable deficit in physical infrastructure. Its cascading consequences, including fatalities, unresolved disappearances, psychological trauma, educational disruption, forensic uncertainty, ecological degradation, and livelihood destruction, constitute a multidimensional crisis of justice involving human dignity, structural inequalities, intergenerational responsibility, knowledge production, and ecological integrity.

This analysis advances an integrated framework of ontological, decolonial, intergenerational, epistemic, and environmental justice extracting from Fair Start Movement and Truth Alliance Global to examine not only what has been lost, but also whose losses are recognized, whose knowledge informs recovery, who bears responsibility, and whose futures are protected. Harmonizing these five dimensions reframes disaster recovery as an ethical, legal, and institutional obligation to restore dignity, address structural vulnerabilities, ensure meaningful participation, repair human–environment relationships, and prevent the unjust transfer of risks to future generations.

The central question is therefore not merely how much infrastructure was destroyed or how many people were affected, but whether institutions and recovery programs uphold human rights, recognize affected communities as active participants in decision-making, protect ecological integrity, and safeguard future generations. The Himalayan Tsunami thus tests whether existing governance arrangements can translate human rights, environmental responsibility, precaution, transnational cooperation, and intergenerational equity into effective action. Justice requires not only responding to catastrophe but also confronting the structural conditions that render losses foreseeable, preventable, unequally distributed, or inadequately remedied.

5. Nepal's Loss and Damage Claim and Fund's Approval

The August 26, Himalayan Tsunami and Nepal's subsequent request for United Nations' Fund for Responding Loss and Damage (FRLD) finance provide a critical test of climate justice. The disaster demonstrates that climate-related harm cannot be addressed solely through humanitarian relief, adaptation, or infrastructure reconstruction; it also requires equitable mechanisms for addressing economic and non-economic losses, historical emissions inequalities, and the limits of domestic response capacity.

On August 31, Nepal's Finance Minister Dr. Swarnim Wagle and Minister for Agriculture, Forestry and

Environment Gita Chaudhary jointly requested emergency assistance from the Board of the FRLD, stating that the disaster had exceeded the country's immediate financial and institutional capacity (https://risingnepaldaily.com/news/87991). On September 10, the FRLD Co-Chairs reportedly indicated that options were being explored for an expedited response within the Fund's existing mandate and procedures. Subsequently, on October 22, 2026, the FRLD Board provisionally approved an allocation of US$21.6 million for Nepal, reportedly marking the Fund's first country-specific disaster allocation (https://india.mongabay.com/short-article/2026/10/un-loss-and-damage-fund-provisionally-approves-21-6-million-for-flood-hit-nepal/).

The institutional foundations of this development extend to the 1992 Rio Earth Summit and the United Nations Framework Convention on Climate Change (UNFCCC). Although early climate governance prioritized mitigation and adaptation, recognition that adaptation cannot prevent all climate-related harm progressively established Loss and Damage as a distinct policy domain. Article 8 of the 2015 Paris Agreement recognizes the importance of averting, minimizing, and addressing Loss and Damage, including extreme events, slow-onset processes, and economic and non-economic losses. COP27 (2022) established the political basis for a dedicated fund, while COP28 (2023) operationalized the FRLD. However, Article 8 does not itself establish an enforceable compensation or liability regime (https://www.livelaw.in/articles/international-law-make-major-emitters-pay-nepal-climate-losses-550388 & https://nepaleconomicforum.org/the-bhotekoshi-floods-and-the-price-of-climate-finance-delay/).

The preliminary Recovery and Disaster Needs Assessment cited in the research estimated US$1.81 billion in damage, US$883.32 million in direct impact losses, and US$4.78 billion in recovery and reconstruction requirements. Against this scale of need, the provisional US$21.6 million allocation raises fundamental questions about financial adequacy, additionality, accessibility, timeliness, and distributive equity (https://www.carbonbrief.org/analysis-nepals-20m-loss-and-damage-claim-only-covers-0-7-of-flood-costs).

Ultimately, climate justice requires more than financial accounting, addressing deaths, disappearances, displacement, family parting, educational interruption, livelihood destruction, psychosocial trauma, ecological degradation, and cultural loss. Nepal's loss and damage claim must advance an integrated, five-pillar conception of climate justice encompassing ontological, environmental, epistemic, intergenerational, and decolonial justice. This framework demands additional, predictable, accessible, and equitable finance addressing economic and non-economic losses, including deaths, disappearances, displacement, psychosocial trauma, livelihood destruction, and cultural and ecological degradation.

The FRLD's provisional US$21 million allocation marks an institutional milestone in climate justice but remains profoundly inadequate relative to Nepal's extensive recovery and reconstruction needs. As an ecologically fragile, mountainous nation, Nepal faces compounding economic and non-economic losses from accelerated glacial melt, catastrophic flooding, and environmental degradation. This allocation is merely a drop in the ocean compared with the resources required for long-term reconstruction, ecological restoration, and community rehabilitation. It exposes the persistent inequities and systemic underfunding of global loss-and-damage mechanisms, leaving highly vulnerable nations disproportionately burdened by a climate crisis they contributed little to creating.

6. Legal and Policy Implications

The evidence marshaled in this petition exposes profound structural inadequacies within contemporary

climate-governance frameworks, raising six interconnected legal, institutional, and transdisciplinary questions:

- Whether prevailing international legal and institutional architectures possess the requisite efficacy to address foreseeable, cascading, and transboundary climate risks disproportionately burdening highly vulnerable mountainous regions, notably Nepal.
- Whether current international climate-finance mechanisms can mobilize predictable, accessible, and adequate resources expeditiously when disaster thresholds outstrip domestic response capacities.
- Whether existing Loss and Damage frameworks comprehensively account for, and redress, both economic and non-economic injuries—ranging from fatalities and unresolved disappearances to psychosocial trauma, family disintegration, educational displacement, livelihood annihilation, ecological degradation, and cultural erasure.
- Whether emergency-response protocols can be systematically re-engineered to eliminate onerous administrative bottlenecks that impede urgent relief to affected populations.
- Whether overarching climate governance successfully operationalizes a coherent continuum that bridges preventive action, climate adaptation, disaster-risk reduction, ecological restoration, and resilient infrastructure with post-disaster recovery and reconstruction.
- Whether current legal paradigms adequately insulate children, present cohorts, and future or unborn generations from the inequitable intergenerational transfer of cumulative, preventable climate harms.

Resolving these systemic inquiries necessitates an integrated, justice-centric paradigm anchored in ontological, environmental, epistemic, intergenerational, and decolonial frameworks. Such an approach must affirmatively validate the inherent dignity of affected communities, safeguard ecological integrity, synthesize empirical science with indigenous and community-based knowledge, dismantle structural inequities in climate liability and finance, and guarantee that recovery interventions do not entrench baseline vulnerabilities.

Consequently, this petition urges a rigorous reappraisal of binding legal obligations, institutional accountability mechanisms, transboundary cooperative duties, and equitable pathways to remedy. It maintains analytical precision regarding jurisdictional boundaries and the doctrinal boundary separating established legal duties from emerging normative principles. Ultimately, the legitimacy and efficacy of international climate governance must be measured not by the rhetoric of formal commitments, but by its demonstrable capacity to preempt avoidable devastation, redress irreversible loss, restore human and ecological flourishing, and secure a sustainable future for posterity.

7. Rationale for Submitting the Petition to the Office of the Attorney General

Why submit a petition to the Connecticut Office of the Attorney General concerning climate-related disasters in Nepal? This question highlights the transboundary character of anthropogenic climate change and the need to examine accountability across jurisdictions. The United States has been a major historical contributor to cumulative global greenhouse gas emissions through industrialization, energy production, and other carbon-intensive economic activities. The environmental consequences of these emissions extend beyond national borders, disproportionately affecting climate-vulnerable countries with limited resources and adaptive capacity.

Nepal exemplifies this structural asymmetry. Despite its negligible contribution to global greenhouse gas emissions, the country faces escalating climate-related hazards, including extreme precipitation, glacial lake outburst floods, and cascading ecological risks associated with the August 2026 Himalayan Nepal–

Tibet disaster. These hazards threaten human security, freshwater systems, forests, biodiversity, livelihoods, and the ecological integrity of vulnerable mountain communities.

This petition does not presume or assert the immediate legal liability of any particular U.S. governmental or corporate actor. Rather, it seeks a preliminary, evidence-based examination of historical emissions, potentially applicable legal obligations, and lawful avenues for institutional accountability. Grounded in climate justice, the petition asks whether existing domestic legal frameworks can contribute to addressing transboundary environmental harm, strengthening corporate accountability, and protecting vulnerable populations, particularly children and future generations.

For decades, the Fair Start Movement and Truth Alliance Global have advocated the rights of present and future generations to a safe, healthy, and sustainable environment. Their commitment to ecosocial justice, birth equity, and intergenerational responsibility provides the normative foundation for this submission.

Accordingly, the petition seeks a proportionate review within the Office's lawful authority, rather than humanitarian relief or an assumption of extraterritorial jurisdiction. It invites consideration of whether the consequences of the Himalayan disaster raise cognizable issues under Connecticut law, particularly concerning consumer protection, corporate accountability, investment transparency, and public-interest enforcement.

7.1. Key Legal and Policy Issues

The petition organizes twelve areas of inquiry into five interconnected themes:

- Jurisdiction and Corporate Accountability: Examining whether corporate conduct, financial interests, or commercial practices subject to Connecticut law have demonstrable connections to the activities or harms under consideration.
- Loss and Damage and Climate Finance: Assessing the adequacy, accessibility, and timeliness of international climate-finance mechanisms. The provisional allocation of US$21.6 million to Nepal by the Fund for Responding to Loss and Damage (FRLD), announced on October 22, 2026, illustrates the importance of examining the relationship between available international assistance and the country's recovery and reconstruction requirements.
- Child-Centered and Intergenerational Protection: Investigating how climate-related disasters undermine children's safety, education, health, and development, and how applicable legal and policy frameworks can better protect the rights and interests of future generations.
- Transboundary Risks and Non-Economic Losses: Examining cascading Himalayan hazards and the limitations of conventional financial assessments in recognizing non-economic losses, including bereavement, cultural dislocation, community disruption, and biodiversity decline.
- Epistemic and Decolonial Justice: Promoting the meaningful integration of scientific evidence, Indigenous and local knowledge, and historically marginalized perspectives into climate governance, thereby addressing structural inequalities that intensify environmental vulnerability.

7.2. Requested Institutional Consideration

The petition respectfully invites the Connecticut Office of the Attorney General, within its statutory authority and appropriate jurisdiction, to consider whether the following actions are warranted:

1. Conduct a preliminary legal assessment of potentially applicable Connecticut statutes, regulatory frameworks, and enforcement mandates relevant to the matters presented.
2. Determine whether a demonstrable jurisdictional nexus exists between Connecticut-regulated entities or activities and the alleged or documented transboundary environmental harms, without presupposing legal liability.

3. Refer matters falling outside the Office's direct authority to appropriate state or federal agencies, or identify relevant international institutions where further consideration may be warranted.
4. Encourage informed public-interest dialogue on child-centered climate protection, ecological sustainability, corporate accountability, and intergenerational justice.

7.3. Analytical Framework: Five Dimensions of Justice

To evaluate climate-related harm beyond conventional monetary assessments, the petition adopts five complementary dimensions of justice:

1. **Ontological justice** recognizes the inherent dignity, meaningful existence, and fundamental interests of individuals and communities affected by environmental disruption.
2. **Environmental justice** seeks equitable protection from environmental hazards while safeguarding ecological integrity and access to essential natural resources.
3. **Epistemic justice** promotes fair recognition of scientific evidence, Indigenous knowledge, and local experience in institutional decision-making.
4. **Intergenerational justice** seeks to prevent the unjust transfer of environmental risks, ecological degradation, and recovery burdens to children and future generations.
5. **Decolonial justice** examines and challenges historical inequalities, unequal power relations, and structural exclusions that perpetuate climate vulnerability.

Together, these dimensions provide a framework for examining the human, ecological, cultural, and intergenerational consequences of climate-related disasters. They also underscore the importance of transparent institutions, evidence-based decision-making, and lawful accountability mechanisms capable of anticipating foreseeable risks and protecting vulnerable populations.

Through this petition, the Fair Start Movement and Truth Alliance Global respectfully seek a rigorous and balanced examination of how Connecticut's existing legal authority, where applicable, might contribute to transboundary climate justice, ecological preservation, corporate accountability, and the protection of children and future generations.

We sincerely appreciate your consideration of this petition concerning the August 2026 Himalayan Nepal–Tibet disaster, climate-related loss and damage, environmental governance, transboundary responsibilities, ecosocial justice, and intergenerational rights. We respectfully request that your Office consider any lawful legal, institutional, or policy measures that may be appropriate within its authority and consistent with applicable domestic law and relevant international legal principles.

Sincerely and respectfully submitted, Fair Start Movement Research Team Truth Alliance Global Research Team