

# The Evolution of the Right to a Clean, Healthy and Sustainable Environment

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# Agenda

- Why human rights in environmental matters?
- What is the right to a clean, healthy and sustainable environment?
- What does UNGA resolution 76/300 mean?
- Impacts of the resolution
- Next steps
- Q&A

# Why human rights in environmental matters?



**Inseparable** interlinkages between human rights and the environment



**Mutually reinforcing** relationship between human rights and the environment



**Practical** evidence: rights are effective in the protection of the environment



**Better outcome:** synergies, effective implementation of both environmental and human rights laws and commitments



**Mandate:** UN Charter, Universal Declaration of Human Rights, Human rights treaties, environmental agreements, UNEA, HRC, GA resolutions

# Right to a Healthy Environment

- ✓ Rooted in the 1972 Stockholm Declaration
- ✓ Appeared in the Constitution of Portugal in 1976 for the first time
- ✓ Recognized by over 80% of UN Member States at the national and regional levels
- ✓ Positive evidence from national and regional experience

## Right to a Healthy Environment

■ Constitution, Legislation, or  
Regional Treaty

# UNGA recognition of the right to a clean, healthy and sustainable environment (Res 76/300)

- ✓ Led by Costa Rica, Maldives, Morocco, Slovenia and Switzerland
- ✓ Widely supported by UN entities, over 1,300 CSOs, national human rights institutions, over 50 global businesses
- ✓ Voting records: 161 in favor, 8 abstaining, 0 against
- ✓ 117 Co-sponsors



# What does GA res 76/300 mean?

- ✓ **Universality** - everyone, everywhere
- ✓ **Provide greater protection** to people especially those that are in vulnerable situation including women, children, indigenous peoples and environmental human rights defenders
- ✓ Serves for a **Healthy People and Planet**
- ✓ And more!

“The General Assembly delivered a **victory for people and planet**...The resolution demonstrates that countries are in solidarity with billions of people suffering under the weight of the **triple planetary crisis of climate change, nature and biodiversity loss, and pollution and waste.**” *Inger Andersen, Executive Director of UNEP*



"I welcome the adoption of the **UNGA resolution** recognising the **human right to a healthy environment** – an important tool for **accountability** and **climate justice**. The **well-being of people** around the world and the **survival of future generations** depends on the **health of our planet.**"



António Guterres  
*UN Secretary-General*



# Impacts of the recognition

- For *everyone, everywhere*
- Clearer accountability
- Empowerment of rights holders
- Integration of human rights in environmental matters and environmental agreements
- Integration of environmental issues in human rights system

# Ongoing discussions

- Regional 'access rights' agreements
- EU due diligence policy
- Additional protocol on the environment to the European Convention on Human Rights
- Global Biodiversity Framework (under Convention on Biological Diversity)
- Legally binding instrument on business
- Next steps?





Thank you

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