



General Assembly

Distr.: Limited
5 October 2021

Original: English

Human Rights Council

Forty-eighth session

13 September–8 October 2021

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Armenia,* Bhutan,* Bosnia and Herzegovina,* Cabo Verde,* Chile,* Costa Rica,* Croatia,* Cyprus,* Dominican Republic,* Ecuador,* Fiji, Finland,* Germany, Greece,* Haiti,* Honduras,* Italy, Luxembourg,* Maldives,* Marshall Islands, Mexico, Monaco,* Montenegro,* Morocco,* Namibia, North Macedonia,* Panama,* Portugal,* San Marino* Slovakia,* Slovenia,* Spain,* Switzerland,* Tunisia,* Uruguay and Vanuatu*: draft resolution

48/... The human right to a ~~safe~~, clean, healthy and sustainable environment

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the Declaration on the Right to Development, [the Declaration of the United Nations Conference on the Human Environment \(Stockholm Declaration\)](#), [the Rio Declaration on Environment and Development](#) and relevant international human rights treaties and other relevant regional human rights instruments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated,

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development,” in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets,

Recalling also States’ obligations and commitments under multilateral environmental instruments and agreements, including on climate change, and the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document entitled “The future we want”,¹ which reaffirmed the principles of the Rio Declaration on Environment and Development,

Recalling further all its resolutions on human rights and the environment, the most recent of which are resolutions 45/17 of 6 October 2020, 45/30 of 7 October 2020 and 46/7 of 23 March 2021, and relevant resolutions of the General Assembly,

* State not a member of the Human Rights Council.

¹ General Assembly resolution 66/288, annex.



Recognizing that sustainable development, in its three dimensions (social, economic and environmental), and the protection of the environment, including ecosystems, contribute to and promote human well-being and the enjoyment of human rights, including the rights to life, to the enjoyment of the highest attainable standard of physical and mental health, to an adequate standard of living, to adequate food, to housing, to safe drinking water and sanitation and to participation in cultural life, for present and future generations,

Reaffirming the importance of international cooperation, on the basis of mutual respect, in full compliance with the principles and purposes of the Charter of the United Nations, with full respect for the sovereignty of States while taking into account national priorities.

Recognizing also that, conversely, the impact of climate change, the unsustainable management and use of natural resources, the pollution of air, land and water, the unsound management of chemicals and waste, the resulting loss of biodiversity and the decline in services provided by ecosystems interfere with the enjoyment of a clean, healthy and sustainable environment, and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of all human rights,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population that are already in vulnerable situations, including indigenous peoples, older persons, persons with disabilities, and women and girls,

Recognizing that environmental degradation, climate change and unsustainable development constitute some of the most pressing and serious threats to the ability of present and future generations to enjoy human rights, including the right to life,

Recognizing also that the exercise of human rights, including the rights to seek, receive and impart information, to participate effectively in the conduct of government and public affairs and in environmental decision-making and to an effective remedy, is vital to the protection of a clean, healthy and sustainable environment,

Reaffirming that States have the obligation to respect, protect and promote human rights, including in all actions undertaken to address environmental challenges, and to take measures to protect the rights of all, as recognized in different international instruments and reflected in the framework principles on human rights and the environment, prepared by the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment,² and that additional measures should be taken for those who are particularly vulnerable to environmental harm,

Recalling the Guiding Principles on Business and Human Rights, which underscore the responsibility of all business enterprises to respect human rights, including the rights to life, liberty and security of human rights defenders working in environmental matters, referred to as environmental human rights defenders,

Acknowledging the importance of a clean, healthy and sustainable environment as critical to the enjoyment of all human rights,

Recalling all of the reports of the Special Rapporteur (formerly Independent Expert) on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment.³

Noting that more than 155 States have recognized some form of a right to a healthy environment in, inter alia, international agreements or their national constitutions, legislation or policies,

Noting also “The highest aspiration: a call to action for human rights”, which the Secretary-General presented to the Human Rights Council on 24 February 2020 and in which, inter alia, he called upon the United Nations to increase support to Member States at the field

² A/HRC/37/59, annex.

³ A/73/188, A/74/161, A/75/161, A/76/179, A/HRC/46/28, A/HRC/22/43, A/HRC/25/53, A/HRC/28/61, A/HRC/31/52, A/HRC/31/53, A/HRC/34/49, A/HRC/37/58, A/HRC/37/59, A/HRC/40/55, A/HRC/43/53 and A/HRC/43/54.

level for laws and policies that regulated and promoted the right to a safe, clean, healthy and sustainable environment, and for effective individual access to justice and effective remedies for environment-related concerns,

Noting further the joint statement to the Human Rights Council on 9 March 2021 by 15 United Nations entities, including the United Nations Environment Programme, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the International Labour Organization, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the World Health Organization, and the letter dated 10 September 2020 and signed by more than 1,100 civil society, child, youth and indigenous peoples' organizations, urgently calling for global recognition, implementation and protection of the human right to a safe, clean, healthy and sustainable environment,

1. *Recognizes* the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights;

2. *Notes* that the right to a clean, healthy and sustainable environment is related to other rights, and existing international law;

3. *Affirms that the promotion of the human right to a clean, healthy and sustainable environment requires the full implementation of the multilateral environmental agreements under the principles of International Environmental Law.*

4. *Encourages* States:

(a) To build capacities for the efforts to protect the environment in order to fulfil their human rights obligations and commitments, and to enhance cooperation with other States, the Office of the United Nations High Commissioner for Human Rights, the rest of the United Nations system and other relevant international and regional organizations, agencies, convention secretariats and programmes, and relevant non-State stakeholders, including civil society, national human rights institutions and business, on the implementation of the right to a clean, healthy and sustainable environment, in accordance with their respective mandates;

(b) To continue to share good practices in fulfilling human rights obligations relating to the enjoyment of a clean, healthy and sustainable environment, including by exchanging knowledge and ideas, building synergies between the protection of human rights and the protection of the environment, bearing in mind an integrated and multisectoral approach and considering that efforts to protect the environment must fully respect other human rights obligations, including those related to gender equality;

(c) To adopt policies for the enjoyment of the right to a clean, healthy and sustainable environment as appropriate, including with respect to biodiversity and ecosystems;

(d) To continue to take into account human rights obligations and commitments relating to the enjoyment of a clean, healthy and sustainable environment in the implementation of and follow-up to the Sustainable Development Goals, bearing in mind the integrated and multisectoral nature of the latter;

5. *Invites* the General Assembly to consider the matter;

6. *Decides* to remain seized of the matter.

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