



UNITED NATIONS

ENVIRONMENT MANAGEMENT GROUP

EMG

Mid-Term Technical Segment of the 26th Senior Officials Meeting

EMG SOM26/mid-term/04a

29th April 2020

GoToMeeting (connection details in logistics note)

Distribution: EMG members

from 3:00 p.m. to 5.00 p.m. Geneva time

[Proposal: A new Issue Management Group on Human Rights and the Environment](#)

Objective: To integrate the human right to a healthy environment in the work of the UN Environmental Management Group and its constituent organizations.

Background: In the past several years, substantial progress has been made within the UN system in the area of human rights and the environment. Recently the Secretary General, the High Commissioner for Human Rights, the UNEP Executive Director, the UNICEF Executive Director and the UN Special Rapporteur on human rights and the environment, have all called for increased efforts to advance and implement the human right to a healthy environment.

Their enhanced focus on the human right to a healthy environment aligns with developments in the work of the human rights treaty-bodies (e.g. the Human Rights Committee's general comment on the right to life and CEDAW's General Comment on gender dimensions of disaster risk reduction in the context of climate change), in judicial decisions (e.g. the decision of the Dutch Supreme Court in *Urgenda Foundation v. Netherlands*, and the Inter-American Court's decision in *Indigenous Communities of the Lhaka Honhat Association v. Argentina*), and in environmental law (e.g. the Escazu Agreement, the Paris Agreement, and the negotiations of the post-2020 Global Biodiversity Framework) as well as in the resolutions of the Human Rights Council (HRC) and the United Nations Environment Assembly.

In its resolution 37/8, the HRC noted that "more than 100 States have recognized some form of a right to a healthy environment in, inter alia, international agreements, their constitutions, legislation or policies". Other recent HRC resolutions have addressed specific issues related to human rights and the environment including a safe and stable climate (HRC resolution 41/21), recognition and protection of environmental human rights defenders (HRC resolution 40/11), and toxic wastes (HRC resolution 36/15). UNEA Resolution 4/17 on promoting gender equality and the human rights and empowerment of women and girls in environmental governance is the first UNEA resolution with a specific focus on human rights and an explicit reference to the human right to a healthy environment.

These and other developments have led the core group of sponsors to the HRC resolution on human rights and environment to plan a consultative process regarding a potential HRC resolution in September of this year that would universally recognize the human right to a healthy environment. In this context and with the COVID-19 crisis further exposing the need for immediate, evidence-based action to protect both people and planet while building back better, there is an opportunity for the

UN EMG to support efforts to ensure a more coherent and consistent UN system-wide approach to human rights and the environment.

Activities and scope: The IMG will undertake activities to raise the priority given to the human right to a healthy environment throughout the UN system; to promote integration of the human right to a healthy environment in the work of UN country teams, human rights treaty-bodies and multilateral environmental agreements; to support efforts to build back better and more sustainably from the COVID-19 crisis; and to promote rights-based environmental action as well as protection of environmental human rights defenders, participation, access to information and access to justice in environmental matters.

If the EMG agrees to establish a new IMG on human rights and the environment, its exact activities and terms of reference would be discussed with all interested members of the EMG prior to and during its first meeting. It is envisaged that the IMG would operate for an initial period of 18 months with the possibility of extension.