

HUMAN RIGHTS COUNCIL – 52nd SESSION

Interactive dialogue with the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

09 March 2023

In his opening remarks, **David R. Boyd, Special Rapporteur on human rights and the environment**, presented four reports namely “thematic report on women, girls and the right to a clean, healthy and sustainable environment”; “special report on pandemic prevention, human rights and environmental conservation”; and country reports following visits to Portugal and Slovenia. In particular, he mentioned that despite progress toward gender equality in some States, systemic discrimination persists. Discriminatory laws, outdated sociocultural norms, and harmful stereotypes continue to restrict the political and economic power of women, girls and gender-diverse persons in every State and every sphere of society. The planetary environmental crisis affects everyone, everywhere, but not equally. Women and girls are often excluded from participating in environmental decision-making and enjoying a fair share of nature's benefits while suffering disproportionate impacts related to the climate emergency, biodiversity collapse, limited access to water and sanitation, and pervasive pollution. Mentioning States' obligations as well as actions to fulfill the right to a healthy environment for women and girls, the SR affirmed that humanity must create a world that is gender equitable and ecologically sustainable. Neither can be achieved without the other. Only rights-based, systemic and transformative changes can achieve a future where everyone, including every woman and girl, enjoys the right to a clean, healthy and sustainable environment.

Considering the special report on pandemic prevention, followed by the expert seminar on human rights, environmental conservation, and the prevention of future pandemics, the **SR** listed the four key conclusions. First, the COVID-19 pandemic has had catastrophic impacts on human rights. Second, zoonotic diseases are emerging more frequently, including COVID-19, HIV-AIDS, Ebola and monkeypox. Third, deforestation, agricultural expansion, the wildlife trade and intensified livestock production are increasing human-animal interactions and the risk of spillover. Addressing these environmental drivers of pandemic risk is critical to preventing future pandemics, yet States are not taking adequate actions, raising the specter of more zoonotic disease outbreaks in the near future. Fourth, human rights-based approaches to pandemic prevention are the most effective, efficient and equitable approach, and are required by existing human rights obligations. Pandemic prevention is more important than preparedness or response, yet gets less attention and fewer resources.

Turning to his visit to **Slovenia**, the SR recognized good practices related to nature conservation, solid waste management and environmental taxes; as well as major challenges concerning clean energy, air quality and toxic hotspots. Inequalities related to access to water and sanitation continue to affect some Roma communities. In **Portugal**, the SR noted the devastating consequences caused by the climate crisis: extreme drought, raging wildfires and deadly heat waves. However, the country is working on strong rights-based and gender-transformative legislation, universal access to safe drinking water, and the billion-euro Environmental Fund.

Portugal (Country concerned) focused on its current climate emergency as the greatest obstacle to the enjoyment of the right to the environment. The negative effects of climate change, heatwaves, drought, wildfires, floods, coastal erosion, or increased risk of desertification, have a direct human rights impact. This is why the country is committed to fighting climate change, through laws and renewable electricity.

Slovenia (Country concerned) stressed that the issue regarding the Roma community is broader than what the Special Rapporteur reported. The housing problems of the Roma community should be

comprehensively addressed, not just the provision of water connections. Moreover, considering the role of civil society as indispensable, experience shows that environmental human rights defenders are well protected under the current regulatory framework and that the freedom of association is a constitutionally guaranteed right.

In his conclusive remarks, **Mr. David R. Boyd** said the Council has vitally important work to do in continuing to produce strong resolutions on human rights in the environment, human rights defenders, and climate change. The recommendations in the report focused on education, empowerment and the acceleration of climate and environmental action. However, money is a primary obstacle. There is a multi-trillion-dollar gap in financing for Sustainable Development Goals. These would not be achieved unless new types of financing are accessed. The Council deserves credit for its role in recognizing and addressing the impacts of the climate crisis, but much remains to be done. In a world filled with climate injustices, non-discrimination needed to be put at the center to address these challenges.

Interactive dialogue

81 country delegations took the floor during the interactive dialogue. **The majority of countries** expressed the current environmental challenges, climate change and its related antecedents; as well as policies and laws adopted to address these issues. Moreover, **Monaco, EU, and Lithuania** were particularly worried that gender stereotypes, biases, inequalities, and multiple and intersecting forms of discrimination negatively affected the enjoyment of women and girls the right to a clean, healthy and sustainable environment. To address these challenges, a human rights-based approach, where States, businesses and civil society worked together, must be in place. **Among others, Costa Rica, Senegal, and Malawi** affirmed that women and girls should participate fully, equally and meaningfully in all processes when it came to protecting the environment. The participation and empowerment of women were crucial for a sustainable future.

Russia noted the link between the human rights agenda and climate change problems and that UN specialized agencies and bodies should work to address environmental and climate challenges and issues; it appealed that the SR should refrain from a premature attempt to present personal scientific opinion that brings obligations to States. **Ukraine** affirmed that the current Russian aggression is an attack on the environment which affects everyone and everywhere, especially women and girls, as the most vulnerable group. Their basic rights to a safe, clean, healthy and sustainable environment are limited now. In this view, Russia must be brought to justice for the environmental crisis committed during its full-scale invasion of Ukraine as a damage cost to the ecosystem and human health, this should be part of the reparation. Sustainable development depended on the gender-transformative realization of the right to a clean, healthy and sustainable environment, and **Ghana** recognized the importance of gender equality and gender-responsive action to address the issues of the planetary environmental crisis, as women made up almost half of the world's agricultural workforce. Women are agents of change and should be empowered to participate in decision-making processes and implementation to influence their future and the future of their families, communities and countries.

UNEP remained concerned about the situation of women and girls as environmental human rights defenders who face additional challenges and danger due to gender-based discrimination despite their positive contribution to environmental protection. **UN Women** echoed the Special Rapporteur's call for urgent, gender-transformative, rights-based climate and environmental action to address systemic gender-based discrimination and environmental injustices.

NGOs focused on the full implementation of all human rights, eliminating all forms of discrimination, so urgently needed to respect and include the wide plurality of these experiences. Such a recognition indeed makes women and girls powerful agents of change, as we face increasing disasters and must prevent all environment-related human rights violations. **Edmund Rice International and PRATYeK** affirmed that the health of women and girls is affected and thus the access to education by girls is severely impacted.

Delegations that took the floor during the Interactive Dialogue (81 country delegations):

Australia, Azerbaijan, Bahrain, Benin, Botswana, Burkina Faso, Brazil, Cuba, Colombia, Cameroon, Costa Rica, Costa Rica (on behalf of Costa Rica, Brazil, Chile, Ecuador, Honduras, Mexico, Panama, Peru, Uruguay), Côte d'Ivoire, Côte d'Ivoire (on behalf of African Group), Cyprus, Djibouti, Ecuador, European Union, France, Gabon, Lithuania (on behalf of Nordic-Baltic countries), Luxembourg, Malawi, Marshall Islands, Monaco, Namibia, Nigeria, Paraguay, Philippines, Senegal, Sierra Leone, Slovenia, Togo, Trinidad and Tobago (on behalf of CARICOM Group), Tunisia, United Arab Emirates, United States, Vanuatu, Ireland, Ukraine, Islamic Republic of Iran, Pakistan, Switzerland, Republic of Korea, Israel, China, India, Peru, Russia Federation, Morocco, Venezuela (Bolivarian Republic of), Mexico, Armenia, Iraq, Poland, Nepal, Uruguay, Austria, Panama, United Kingdom, Malaysia, South Africa, Sudan, Spain, Maldives, Kazakhstan, Samoa, Kenya, Ethiopia, Georgia, Bolivia, The Gambia, Saudi Arabia, Timor-Leste, Ghana, Cambodia, Germany, Belize, Bangladesh, Chad, Tanzania.

NHRIs and NGOs that took the floor during the Interactive Dialogue (10):

NHRC India, Earthjustice, Edmund Rice International Limited, Make Mothers Matter, PRATYEK, Center for International Environmental Law, Youth Parliament SDG, Francisco International, Friends World Community Consultation, Iuventum e.V.

International organizations (8): *UN Women, UNDP, Food and Agriculture Organization of the United Nations, United Nations Children's Fund, United Nations Environment Programme, International Development Law Organization, United Nations Population Funds, UN Habitat.*

To watch the full meeting refer to UN WEB TV ([Part 1](#)), ([Part 2](#)), and ([Part 3](#)).