

HUMAN RIGHTS COUNCIL – 55th 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

05 March 2024

Mr. David Boyd, Special Rapporteur on the human rights and the environment, stated that humanity's colossal impacts were already exceeding six planetary boundaries out of seven, thereby sabotaging Earth's life support system. Mr. Boyd called for an urgent rethinking of the current economic paradigm based on exploiting people and nature, limitless growth, short-term thinking, a narrow focus on maximizing profits, and the externalization of health and environmental costs onto society. All businesses had a responsibility - existing over and above compliance with national laws and regulations - to respect internationally recognized human rights, including the right to a clean, healthy, and sustainable environment (HR2HE). Regrettably, only few businesses were implementing relevant voluntary normative frameworks, while large businesses were undermining the enjoyment of the HR2HE by greenwashing, deceit, denial, corruption, and sabotaging science. States had a duty to make the transformative changes required to fulfil the HR2HE which included: 1. replacing the narrow focus on GDP with more holistic development indicators; 2. enacting rights-based climate and environmental laws that incorporate planetary limits; 3. taxing all forms of environmentally destructive behaviour; 4. replacing business paradigms with new ones focused on societal benefits; and 5. shifting to a human rights-based economy.

Mr. Boyd also presented **two country reports** following his visits to Chile and Botswana and appreciated the national measures taken by both to implement his recommendations.

As regards **Chile**, Mr. Boyd stressed that the climate crisis was exacerbating the country's natural water scarcity problem. Privatization guaranteed to mining companies and agrobusiness water for their operations, while leaving tens of thousands of people without access to safe and sufficient water. In sacrificed zones, profit and private interest had been prioritized over human health, human rights and the environment. Business should be required to reduce pollution, relocate, rehabilitate and ecosystems and compensate victims. While praising **Botswana** as a world's leader in conserving biodiversity, Mr. Boyd emphasized challenges in ensuring access to safe and sufficient water, healthy and sustainably produced food, adequate sanitation, clean air and water management services for everyone. Most notably children, indigenous and rural populations were disproportionately affected by the lack thereof. With the climate crisis worsening water scarcity and food insecurity, Botswana should focus on improved implementation of climate and environmental initiative underway.

Botswana (Concerned Country): the country developed policy, strategy and legislative frameworks to guide the various players on the environmental sector. It was further drafting a regulatory framework for community-based natural resources management. Among further measures to fulfil the HR2HE Botswana stressed the implementation of the Environmental Impact Assessment Act; integrated waste management policies; a sanitation road map and a heightened drinking water quality surveillance.

Chile (Concerned Country): the country was working on a socio-ecological transition towards sustainable and human rights-based production models. Further efforts were underway to improve the participation of indigenous and other vulnerable groups in environmental decision-making; to enhance environmental quality in 'sacrificed zones'; to ban harmful pesticides for human and environmental health; and to adopt a Protocol ensuring timely and effective investigations into violations committed against human rights and environmental rights defenders.

Interactive dialogue

78 country delegations took the floor during the interactive dialogue. **The majority of the countries** were supportive of the urgent need for systemic and transformative change for fulfilling the HR2HE and protecting human rights from harm caused by businesses. This should be done through the adoption of human-rights based policies and laws which take into due account planetary limits, participation of vulnerable groups and protection of human rights defenders. Developing countries further stressed the disproportionate impact of climate change on those who are the least responsible for it. Several countries commended the work of the Special Rapporteur.

China stated it ranked first in the world both for the fastest rate of air quality improvement and for developing and utilizing renewable energies. **Egypt (on behalf of the group of Arab States)** stated that the armed conflict in Gaza had devastating repercussions on the environment, most notably on agricultural land, ground water and access to safe drinking water. The **EU** stressed it had adopted ambitious policies to promote responsible business conduct and was a frontrunner in implementing the UN Guiding Principles on Business and Human Rights. **Gambia (on behalf of the African Group)** agreed with the Rapporteur that wealthy states must take the lead in reducing footprints and financing green growth. **Qatar (on behalf of the Gulf Cooperation Council)** expressed concern for the challenges posed to the human rights to life, food, safe water and adequate standard of living. Better laws should be adopted to fulfil the HR2HE, and businesses should operate within planetary limits. The **Russian Federation** stressed that improved effectiveness of international legal environmental mechanisms should be done under the existing relevant agencies.

UNDP was assisting 39 States in implementing the UN Guiding Principles on Business and Human Rights. Through its Business and Human Rights Academy, UNDP trained annually over one thousand businesses on human rights due diligence. It further supported rightsholders, environmental rights defenders and CSOs to monitor human rights abuses by businesses.

UN Women emphasized that the climate crisis and environmental degradation were having disproportionate effects on women and girls. Despite this, they had been at the forefront of collective efforts towards sustainable energy transition, corporate social responsibility, climate justice, and as environmental rights defenders.

NGOs supported the call for urgent transformative change and reiterated the responsibility of the State to protect human rights, most notably the HR2HE, from business abuse. **Franciscans International** continued to witness States prioritizing business interest and failing to hold businesses accountable and reiterated the need for an international legally binding instrument on business and human rights. **World Council of Churches** valued the report's recognition of that environmental justice cannot be separated from racial, gender and economic justice.

Delegations that took the floor during the Interactive dialogue (78 country delegations):

Botswana, Chile, Iceland (on behalf of the Nordic Baltic countries), Costa Rica (on behalf of the Core group), EU, Qatar (on behalf of the Gulf Cooperation Council), Egypt (on behalf of the group of Arab States), Gambia (on behalf of the African Group), Trinidad and Tobago (on behalf of the Caricom group), Timor-Leste (on behalf of a small informal group of island and developing States), Monaco, Costa Rica, Ecuador, Samoa, Saudi Arabia, Brazil, Luxembourg, Egypt, Georgia, Switzerland, Lesotho, Pakistan, Bahrain, Sovereign Order of Malta, France, USA, Ireland, Armenia, Cameroon, Malawi, Colombia, Slovenia, Iraq, Morocco, Russian Federation, Maldives, South Africa, Greece, Croatia, Peru, Cuba, Venezuela, Chile, Senegal, Zambia, Spain, Mauritius, China, Tunisia, Iran, United Kingdom, Bangladesh, Jamaica, State of Palestine, Ethiopia, Azerbaijan, Organization of Islamic Cooperation, Marshall Islands, Burkina Faso, Djibouti, Uganda, Cote d'Ivoire, United Republic of Tanzania, Sudan, Eritrea, Panama, Albania, Algeria, Viet Nam, Honduras, Ukraine, Angola, Jordan, India, Nepal, Germany, Indonesia, Dominican Republic.

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

Global Institute for Water, Environment and Health, Franciscans International, Iuventum, Associazione Comunità Papa Giovanni XXIII, Swiss Catholic Lenten Fund (joint statement), AAR, Institute for Reporters' Freedom and Safety, Earthjustice (joint statement), World Council of Churches (joint statement), FIAN International

International organizations: UNEP, UNICEF, UNDP, UN Women.

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