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Human rights depend on a healthy biosphere

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The importance of a healthy biosphere

Earth is the only planet in the universe known to support life. On this unique and miraculous blue-green planet, evolution has produced a mind-boggling diversity of life, with millions of species, from elephants, redwood trees and blue whales to axolotls, butterflies and cacti. Humans share DNA with all species, providing compelling evidence that nature should be understood as a community to which we belong rather than a mere commodity for us to exploit.

There are many compelling reasons to protect, conserve and sustainably use biodiversity, based on a wide spectrum of values. Among these reasons, crucially, is the fact that human rights ultimately depend on a healthy biosphere. Healthy ecosystems regulate the Earth's climate, filter air and water, recycle nutrients and mitigate the impact of natural disasters. Healthy ecosystems also provide a renewable supply of timber, fibre, food, fish and other goods. Insects, bats and birds pollinate more than 75 per cent of crops, including fruits, vegetables, almonds, cocoa and coffee. More than one billion persons depend on forests for their livelihoods. Billions of persons rely on natural medicines for their health care. More than half of prescription drugs and 70 per cent of cancer-fighting drugs are natural or derived from nature. Spending time in nature provides people with physical, mental, emotional and spiritual benefits.

In 2019, in the most comprehensive assessment of the state of nature undertaken, the [Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services](#) summarized the destruction of nature by human activities as follows:

- Wildlife populations have plummeted an average of 60 per cent since 1970;
- The rate of extinction is hundreds of times higher than the average over the past 10 million years and is accelerating, with 1 million species at risk;
- Nearly three quarters of the Earth's land surface has been altered significantly;
- Two thirds of the Earth's ocean realm is experiencing adverse impacts, including acidification, deoxygenation and a loss of sea ice;
- More than half of the world's accessible freshwater flows is appropriated for human use;
- More than 85 per cent of the planet's wetlands has been destroyed;
- 420 million hectares of forest have been lost since 1990 through conversion to other land uses;
- The global biomass of large predatory fish targeted by fisheries has fallen by two thirds over the past hundred years.

The human activities directly responsible for the rapid decline in ecosystem health and biological diversity are, in order of global importance, changes in land and sea use (e.g., conversion of forests to agriculture), direct exploitation of species (e.g., fishing, hunting, poaching, illegal wildlife and the timber trade), climate change, pollution and invasive species.

Impacts of the climate emergency on human rights



In 2018, the Human Rights Committee stated, "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 the right to life". For example, deforestation increases the frequency and severity of flood-related disasters, negatively affecting millions of persons, causing large numbers of deaths and inflicting trillions of dollars of damage.



Changes to the landscape, such as deforestation, contribute to emergence of disease in wildlife, domestic animals and people. More than 70 per cent of emerging infectious diseases in recent decades have been zoonoses, including HIV/AIDS, Ebola, Covid-19, Middle East respiratory syndrome, avian influenza, Nipah virus, Marburg virus, Zika virus and West Nile virus.



Biodiversity protects the right to food by making agricultural systems more resilient. It also plays a vital role in efforts towards increasing food production while decreasing negative environmental impacts.



Healthy ecosystems and biodiversity are substantive elements of the right to a healthy environment, as recognized by regional tribunals, national laws and national jurisprudence. The Inter-American Court of Human Rights emphasized that "the right to a healthy environment, unlike other rights, protects the components of the environment, such as forests, rivers and seas".



Ecosystems are the source of all water relied on by people. Where water is polluted, contaminated or overexploited, the right to adequate quantities of clean water is jeopardized. Sanitation systems worldwide rely on ecosystems as an essential element of wastewater treatment because ecosystems purify polluted water.



The failure of States to prevent the degradation of an ecosystem or the extinction of a species could violate children's rights to life, health, culture and a healthy environment.



The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services observed that "Areas of the world projected to experience significant negative effects from global changes in climate, biodiversity, ecosystem functions and nature's contributions to people are also home to large concentrations of indigenous peoples and many of the world's poorest communities.

Human rights obligations relating to the biosphere

A critical factor in the global nature crisis is that States and businesses have repeatedly failed to fulfil their commitments and have not been held accountable because of the weak enforcement mechanisms in international environmental law. International and domestic human rights law offer treaty bodies, courts, commissions and processes for ensuring accountability.

Pursuant to international human rights law, States have **procedural** obligations to:

- Provide the public with accessible, affordable and understandable information regarding the causes and consequences of the global nature emergency, including incorporating the importance of a healthy biosphere as a required element of the educational curriculum at all levels;
- Ensure an inclusive, equitable and gender-based approach to public participation in all actions related to the conservation, protection, restoration and sustainable use of nature, with a particular emphasis on empowering the most directly affected populations;
- Enable affordable and timely access to justice and effective remedies for all, to hold States and businesses accountable for fulfilling their obligations to conserve, protect and restore nature;
- Assess the potential environmental, social, cultural and human rights impacts of all plans, policies and proposals that could damage, destroy or diminish healthy ecosystems and biodiversity;
- Implement human rights safeguards in the design and use of biodiversity financing mechanisms (e.g., payments for ecosystem services and debt for nature swaps);
- Integrate gender equality into all actions to conserve, protect, restore, use and equitably share the benefits of nature, including the development and implementation of National Biodiversity Strategic Action Plans required under the Convention on Biological Diversity, empowering women to play leadership roles;
- Respect the rights of indigenous peoples, peasants, and local communities in all actions to conserve, protect, restore, sustainably use and equitably share the benefits of healthy ecosystems and biodiversity, including respect for traditional knowledge, customary practices and indigenous peoples' right to free, prior and informed consent;
- Provide strong protection for environmental human rights defenders working on nature-related issues. States must vigilantly protect defenders from intimidation, criminalization and violence; diligently investigate, prosecute and punish the perpetrators of those crimes; and address the root causes of social-environmental conflict.

With respect to **substantive** obligations, States must not violate the right to a healthy environment or other human rights related to healthy ecosystems and biodiversity through their own actions; must protect those rights from being violated by third parties, in particular businesses; and must establish, implement and enforce laws, policies and programmes to fulfil these rights. These substantive obligations are informed by specific commitments in the Convention on Biological Diversity, including to:

- Monitor and report on the state of biodiversity and threats to biodiversity;
- Adopt and implement national biodiversity plans;
- Mainstream biodiversity into other policy areas (e.g., health and finance);
- Create protected areas and establish other effective conservation measures;
- Establish rules to ensure the sustainable use of biodiversity;
- Enact legislation to protect threatened species;
- Restore degraded ecosystems;
- Prevent the spread of invasive species;
- Provide incentives for conservation and sustainable use.

Outlining a rights-based approach



Carbon-neutral, nature-positive economic recovery

A rights-based approach must be applied to the investment of trillions of dollars in economic recovery, ensuring that investments alleviate climate change and biodiversity loss, provide a just transition for vulnerable workers and communities and accelerate progress to achieve the SDGs.



Preventing future pandemics

To reduce the risk of zoonotic pandemics and their devastating impacts on health and human rights, urgent action is required to target the key drivers, including deforestation, agricultural intensification and the wildlife trade.



Accelerating action to protect and conserve nature

Scientists, civil society and a growing number of States have endorsed the ambitious goal of protecting 30 per cent of the planet's lands and waters by 2030, in an effort to conserve and restore biodiversity and ecosystems.



Respecting the rights of indigenous peoples, peasants and local communities

Respect for human rights must be placed at the core of all conservation, preservation, restoration and sustainable use actions, together with a shared vision of safeguarding biological and cultural diversity for present and future generations.

Some good practices relating to human rights and a healthy biosphere



The High Ambition Coalition for Nature, advocating for bold targets to be included in the post 2020 global biodiversity framework.



The Great Green Wall in the Sahel will help to combat climate change, drought, famine, conflict and migration.



Nepal's nature laws recognize the tenure rights of locals, and that land-use changes cannot be made without their consent.



The Nature-Based Solutions Coalition seeks to integrate actions that protect ecosystems and mitigate climate change.



More than 700 biosphere reserves in 124 States are established as part of UNESCO's World Network of Biosphere Reserves.



The International Convention for the Regulation of Whaling enabled many species of whales to enjoy extraordinary recoveries.



Recognition of the tenure of Indigenous peoples protects cultural and biological diversity, with benefits for human rights.



WWF-Indonesia is helping to build recognition of women's role in marine and coastal resource management governance.



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