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The human right to a clean, healthy and sustainable environment: a catalyst for accelerated action to achieve the Sustainable Development Goals

A/77/284 - Executive Summary

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Human rights and the Sustainable Development Goals

The global economy is broken. It is based on two pillars – the exploitation of people and the exploitation of the planet – that are fundamentally unjust, unsustainable and incompatible with the full enjoyment of human rights. This is at the heart of the human predicament, and while pandemics and wars are destructive and devastating events, they are transient distractions compared with the extreme poverty, grotesque inequality and environmental catastrophe that threaten to torpedo our future.

In response to these interlinked global crises, the United Nations conducted the broadest public consultation in history, reaching almost 10 million people, and, in 2015, adopted an international framework entitled “Transforming our world: the 2030 Agenda for Sustainable Development. The 2030 Agenda includes 17 Sustainable Development Goals (SDGs) and 169 targets. Unfortunately, the SDGs were sabotaged by the failure to explicitly link them to legally enforceable human rights obligations. They are perceived and portrayed by States as merely aspirational, when in fact the Goals are built on a robust foundation of legally binding and enforceable human rights law and international environmental law.

As humanity has passed the halfway point between 2015 and 2030, understanding the human rights underlying the SDGs and the corresponding obligations and responsibilities of States and businesses is essential for alleviating environmental injustices, closing the financing gap with respect to the Goals and accelerating progress towards achieving the Goals.

Update on the SDGs: the world is headed for catastrophic failure

As we passed the halfway point between 2015 and 2030, any hope of meeting the SDGs is disappearing like a mirage. In 2019, prior to the pandemic, the Deputy Secretary-General warned that “we are off track when it comes to achieving the Sustainable Development Goals”. The situation is worse post-pandemic: in 2021, for the second year in a row, the world failed to make progress on the Goals. No State is on track to meet all of the Goals. Most States are likely to miss the vast majority of the targets, especially those focused on the environment.

The SDGs and the right to a clean, healthy, and sustainable environment

Against this bleak background, the recent recognition of the universal right to a clean, healthy and sustainable environment by both the Human Rights Council and the General Assembly is a beacon of hope.

Some of the SDGs are clearly related to the right to a clean, healthy and sustainable environment, including clean water and sanitation (Goal 6), affordable and clean energy (Goal 7), sustainable cities and communities (Goal 11), responsible consumption and production (Goal 12), climate action (Goal 13), life below water (Goal 14) and life on land (Goal 15).

Other Goals cover a broad range of issues, including poverty, health and education, but every Goal incorporates targets directly related to the right to a clean, healthy and sustainable environment. Zero poverty (Goal 1) includes the need to reduce the exposure and vulnerability of the poor to climate-related extreme events. The goal on industry, innovation and infrastructure (Goal 9) includes a target which notes the need for greater adoption of clean and environmentally sound technologies and industrial processes. Partnerships for the goals (Goal 17) includes the development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries on favourable terms.

There are important interconnections and synergies between all of the SDGs and human rights. For example, recognizing the rights of women in managing nature advances equality (Goals 5 and 10) and reduces women’s vulnerabilities to climate change, environmental degradation and disaster risk, while simultaneously improving outcomes related to water, climate and biodiversity (Goals 6, 13, 14 and 15). The right to education, including access to environmental education and green skills training (Goal 4), is critical for responsible production and consumption (Goal 12), climate action (Goal 13) and actions needed to protect and restore life on Earth (Goals 14 and 15).

Outlining a rights-based approach

To apply a rights-based approach, all laws, policies, plans, projects and programmes related to the Goals, as well as the processes to develop those actions, must be guided by human rights norms, standards and principles. The principles of progressive realization, equality, non-discrimination, participation, accountability, prevention and non-regression are at the core of this approach.

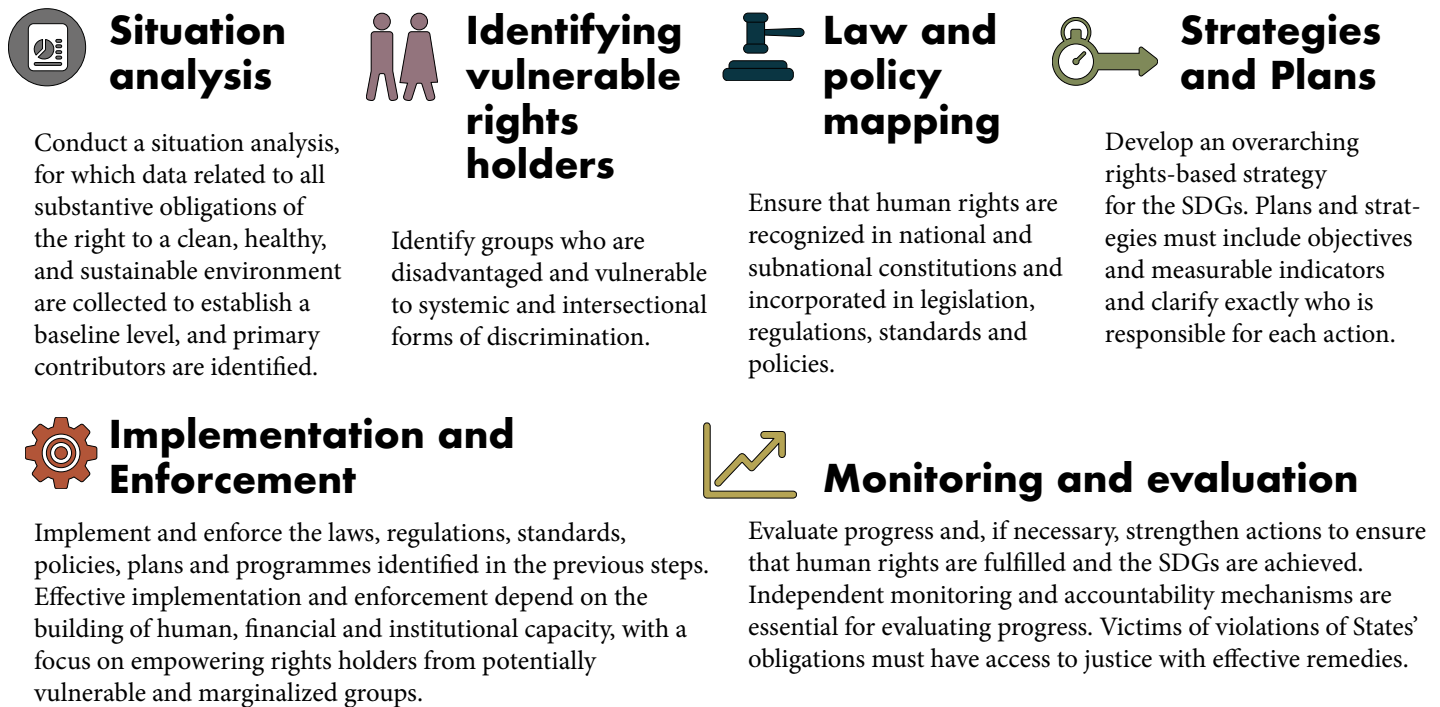
In striving to fulfil their duties related to the Goals, States have **procedural** obligations to:

- ✓ Provide the public with accessible, affordable and understandable information regarding the causes and consequences of the global environmental crisis;
- ✓ Establish monitoring programmes, and use the best available scientific evidence to develop laws, regulations, standards and policies;
- ✓ Ensure an inclusive, equitable and gender-responsive approach to public participation in all actions;
- ✓ Integrate gender equality into all laws, plans, budgets, policies and actions and empower women and girls to play leadership roles at all levels;
- ✓ Enable affordable and timely access to justice and effective remedies for all in order to hold States and businesses accountable for fulfilling their human rights obligations;

- ✓ Conduct independent assessments of the potential environmental, social, cultural and human rights impacts of all plans, policies and proposals, including in transboundary issues;
- ✓ Implement human rights safeguards in the design and use of innovative financing mechanisms;
- ✓ 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;
- ✓ Protect environmental human rights defenders from intimidation, criminalization and violence;
- ✓ Promote and protect civic space, the rights to participate and to freedom of expression, association and assembly.

The **substantive** obligations of States are: clean air, safe and sufficient water, healthy and sustainably produced food, healthy ecosystems, a safe climate, and toxic-free environments.

Steps in a human rights-based approach



Closing the SDG financing gap

According to OECD, in order to achieve the Goals by 2030, an additional investment, above current budget projections, of \$4.2 trillion per year (\$33.6 trillion over the next 8 years) will be required.¹ Seven key actions should be implemented to raise an estimated \$7.0 trillion annually to be invested in climate action and close the Sustainable Development Goals financing gap:

1. Establishing a wealth tax;
2. Redirecting subsidies to environmentally-friendly activities;
3. Taxing greenhouse gas emissions;
4. Reducing tax evasion and avoidance;
5. Establish special drawing rights for developing states;
6. Providing debt relief to low-income and lower-middle-income states; and
7. Ensuring that wealthy states meet their official development assistance commitments.

¹ For all references, see the full version of this report at: <https://undocs.org/A/77/284>

Some good practices relating to the right to a clean, healthy and sustainable environment and the SDGs



Circular economy laws have been enacted by the European Union, China, Japan, and Ontario (Canada).



In 2022, Sweden became the first country to commit to setting a national target to curb import-based CO₂ emissions.



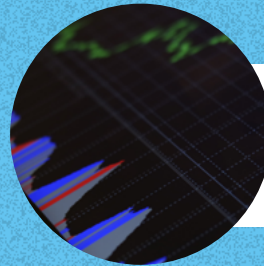
Indonesia successfully reformed gasoline and diesel subsidies in 2015, saving \$US 15.6 billion annually.



Over the past ten years there have been dramatic decreases in the costs of solar electricity generation, wind energy, and energy storage.



The European Union and the Republic of Korea dedicated over 30% of their COVID-19 stimulus to emissions-reducing measures.



Mexico is implementing a strategy to achieve a sustainable financial system, including by linking the Federal Budget to the SDGs.



In 2021, Togo prohibited the export of raw and semi-raw wood in order to curb the loss of forest resources.



More than 40 States have committed to eliminate coal-fired power production by 2030.



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