

MONITORING THE RIGHT TO A HEALTHY ENVIRONMENT: A TOOL FOR NATIONAL HUMAN RIGHTS INSTITUTIONS



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Monitoring the Right to a Healthy Environment (R2HE): A Tool for National Human Rights Institutions (NHRIs) was developed through the collaborative efforts of the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the Global Alliance of National Human Rights Institutions (GANHRI) under the longstanding Tripartite Partnership to support NHRIs. The development of this Tool was made possible through the generous support of the Government of Norway through UNDP's Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development, Phase IV.

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This Tool has benefited significantly from the guidance and expertise of a Reference Group composed of representatives from NHRIs across different regions, including NHRIs of Colombia, Denmark, Georgia, Germany, Honduras, Kenya, Morocco, Panama, Paraguay, Philippines, Sierra Leone and Zambia. Additional thanks goes to the NHRI of North Macedonia for hosting a dedicated international consultation on the right to a healthy environment and the Tool. Special thanks goes also to the NHRIs of Georgia, Malawi, Paraguay, and Samoa for participating in the pilot of the Tool. The practical insights, institutional experience, and engagement from all NHRIs which contributed throughout the process helped ensure that the Tool reflects the diverse contexts in which NHRIs operate.

Key insights and contributions were also incorporated through consultations across UNDP; UNEP; UNECE; FAO; OHCHR; Astrid Puentes Riaño, Special Rapporteur on the human right to a healthy environment; Elisa Morgera, Special Rapporteur on the promotion and protection of human rights in the context of climate change; Marcos A. Orellana, Special Rapporteur on toxics and human rights; David Boyd, former Special Rapporteur on human rights and the environment; GANHRI; Danish Institute of Human Rights; European Network of National Human Rights Institutions; Center for International Environmental Law; ClientEarth; Human Right 2 Water; Universal Rights Group; Forest Peoples Programme; New York University Earth Rights Research and Action Clinic.

The analysis, interpretations, and recommendations of the Tool are those of the authors and do not necessarily represent those of the UN, including UNDP, OHCHR, or the UN Member States. They are also not necessarily endorsed by those mentioned in the acknowledgements or cited.

NHRIs play a vital role in promoting and protecting human rights. Human rights and the environment around us are deeply interlinked, as a flourishing natural world is essential for all human beings and underpins a wide range of human rights, such as rights to life, health, food, water, sanitation, and development. The UN General Assembly explicitly acknowledged the links between human and environmental well-being by recognizing the right to clean, healthy and sustainable environment.

Monitoring the right to a healthy environment offers important opportunities for NHRIs to enhance their core work. Focusing on monitoring has a catalytic impact on NHRI mandates, enabling institutions to use monitoring information to launch investigations, handle complaints, and engage in targeted advocacy. When designed and implemented effectively, this monitoring helps identify the specific environmental harms that undermine the enjoyment of the right to a clean, healthy and sustainable environment. This, in turn, empowers NHRIs to advocate for human rights-based action, support individuals and communities most impacted by environmental harms, and ensure access to justice, redress, and accountability for environmental violations and abuses.

Monitoring the Right to a Healthy Environment: A Tool for National Human Rights

Institutions has been developed to support NHRIs in bridging the legal, policy, and practice gaps that exist between human rights and environmental systems by monitoring the right to a healthy environment. The Tool provides practical steps and considerations for monitoring both the substantive and procedural elements of the right. It offers a structured approach that combines international standards and frameworks, national contextualization processes, and an overall monitoring structure developed and tested by NHRIs. Importantly, this Tool is adaptable to different country contexts, taking into consideration varying levels of structural, financial, and institutional capacity. It is not designed to be ‘one-size-fits-all’. By integrating the R2HE into their monitoring work, NHRIs can help deliver solutions for those most affected and support accountability and action to strengthen the enjoyment of a right to a healthy environment in communities.



Amina Bouayach

Chairperson,
Global Alliance for National Human
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A handwritten signature in black ink that reads "Amina Bouayach".

Part 1

INTRODUCTORY GUIDANCE



1.1 INTRODUCTION

Human rights and the environment around us are deeply interlinked and the human right to a clean, healthy and sustainable environment (R2HE) underscores this. A flourishing natural world is essential for all beings and underpins human rights, such as the rights to life, health, food, and water. Despite this, we are experiencing a global environmental crisis, disproportionately impacting people and communities often least responsible for its cause. Critical to delivering solutions for those most affected is to identify and monitor these impacts on people, in particular, the environmental harms that undermine the enjoyment of the R2HE. This Tool aims to guide National Human Rights Institutions (NHRIs) in bridging the legal, policy, and practice gaps that exist between human rights and environmental systems by monitoring the R2HE. While it is noted below that NHRIs play a more important role beyond just monitoring the R2HE, following close consultations with NHRIs the focus of this Tool is on monitoring given its catalytic and accelerating impact for other key mandates of NHRIs, including by using monitoring information to launch investigations, handle complaints, and engage in advocacy.

1.2 HUMAN RIGHT TO A CLEAN, HEALTHY AND SUSTAINABLE ENVIRONMENT

The connection between a thriving environment and human rights is recognized in the 1992 Rio Declaration, which stated that “human beings (...) are entitled to a healthy and productive life in harmony with nature”.¹ In July 2022, the United Nations (UN) General Assembly acknowledged the links between human and environmental well-being by recognizing the human right to a clean, healthy, and sustainable environment,² following recognition by the UN Human Rights Council.³ The R2HE is also inextricably linked to sustainable development and is reflected in the Sustainable Development Goals (SDGs), many of which have an environmental component and require the R2HE to be met for their achievement by 2030.⁴

While recognized at a national level by the majority of UN member states, the R2HE is not explicitly mentioned in the core human rights treaties. However, as noted by various international mechanisms, including the UN Special Procedures of the Human Rights Council and treaty bodies, human rights and the environment are interdependent, with a clean, healthy and sustainable environment necessary for the full enjoyment of a wide range of human rights, including the rights to life, health, food, water, sanitation, and development, among others.⁵ This was confirmed by the International Court of Justice (ICJ) in its Advisory Opinion of July 2025, when it stated that the R2HE is essential for other human rights.⁶

The R2HE is recognized in regional and other instruments and declarations such as the African Charter on Human and Peoples’ Rights (1981), the Arab Charter on Human Rights (2004), the Protocol of San Salvador to the American Convention on Human Rights (1988), and the Association of Southeast Asian Nations (ASEAN) Declaration on Human Rights (2012).⁷ In 2017, the Inter-American Court of Human Rights (IACtHR) found that the R2HE was an autonomous legal right

1 UN, ‘Report of the United Nations Conference on Environment and Development’ (12 August 1992) UN Doc A/CONF.151/26 (Vol I) (Rio Declaration on Environment and Development).

2 UNGA, ‘The human right to a clean, healthy and sustainable environment’ (28 July 2022) UN Doc A/RES/76/300.

3 UNHRC, ‘The human right to a clean, healthy and sustainable environment’ (8 October 2021) UN Doc A/HRC/RES/48/13.

4 UNGA, ‘The Human Right to a Clean, Healthy and Sustainable Environment: A Catalyst for Accelerated Action to Achieve the Sustainable Development Goals’ (2022) UN Doc A/77/284.

5 See for example, Report of the Special Rapporteur on the human right to a clean, healthy and sustainable environment, ‘Overview of the implementation of the human right to a clean, healthy and sustainable environment’ (2024) UN Doc A/79/270, para 14.

6 Obligations of States in respect of Climate Change (Advisory Opinion) [2025] ICJ Rep para 393 (ICJ Advisory Opinion).

7 See *African Charter on Human and Peoples’ Rights* (1981) 21 ILM 58, art 24; *Arab Charter on Human Rights* (2004) 12 Int’l Hum Rights Rep 893 (2005), art 38; *Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights* (Protocol of San Salvador) (1988), art 11; *ASEAN Declaration on the Right to a Safe, Clean, Healthy and Sustainable Environment* (2025).

“fundamental to the existence of humanity”.⁸ In addition, the R2HE is recognized under the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention, 1998) and its Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs, 2003), and the Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement, 2018).⁹

At the national level, the R2HE is protected in at least 110 national constitutions, and is recognized by 165 countries, or around 85 per cent of UN members through constitutions, legislation, or case law.¹⁰ Recognition of the R2HE contributes to improved environmental outcomes, including cleaner air, enhanced access to safe drinking water, and reduced greenhouse gas (GHG) emissions.¹¹

ROLE OF NHRIS IN ENVIRONMENTAL ACTION



The UN Human Rights Council has recognized the role of National Human Rights Institutions (NHRIs) in climate action and called on states to cooperate with NHRIs in the implementation of the R2HE.¹² In furtherance of the [Paris Principles](#) and the [UN General Assembly Resolutions](#), NHRIs play a key role in supporting that the R2HE is respected, protected and fulfilled through, among others:¹³

- ↳ Advocating for and advising on human rights–based action on environmental matters
- ↳ Advising governments to make legal and policy decisions that support the implementation of the R2HE and related areas
- ↳ Monitoring, assessing, and reporting on the implementation of the R2HE by the government and business
- ↳ Supporting individuals and communities most impacted by environmental harms and those on the frontlines of protecting the environment including Environmental Human Rights Defenders (EHRDs)
- ↳ Supporting access to justice and redress for rights holders, and accountability for perpetrators of violations and abuses of the R2HE

NHRIs are uniquely positioned to bridge the gap between legal human rights commitments and on-the-ground environmental realities, acting as crucial catalysts for accountability and systemic change. The Tool can be a first step for NHRIs to integrate the R2HE in their work, or deepen and expand existing monitoring efforts related to the environment. It is not designed to be ‘one-size-fits-all’, but guide NHRIs in monitoring the R2HE by combining international standards and frameworks, national contextualization processes, and an overall monitoring

8 [State Obligations in Relation to the Environment in the Context of the Protection and Guarantee of the Rights to Life and to Personal Integrity](#) (Advisory Opinion) OC-23/17 (IACtHR 15 November 2017).

9 See [Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters](#) (Aarhus Convention) (1998) UNTS vol. 2161 p 447, art. 1; Protocol on Pollutant Release and Transfer Registers (2003) UNTS vol. 2629 p 119, Preamble. The Aarhus Convention and its Protocol on PRTRs are open for accession to all UN Member States; See [Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean](#) (2018), UNTS, vol. 3388, No. 56654, art 4. Council of Europe, [Council of Europe Strategy on the Environment](#) (2025-2030).

10 See UNEP, ‘[The Right to a Healthy Environment in Practice: A Decade before the Courts \(2015-2025\)](#)’ (2025); See also Special Rapporteur on the human right to a clean, healthy and sustainable environment, [Overview of the implementation of the human right to a clean, healthy and sustainable environment](#) (2024), UN Doc A/79/270.

11 See also Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment, ‘[The Right to a Healthy Environment: A User’s Guide](#)’ (2024); OHCHR, UNEP, and UNDP, ‘[What is the Right to a Healthy Environment? Information Note](#)’ (2023); See also [Obligations of States in respect of Climate Change](#) (Advisory Opinion) [2025] ICJ Rep para 393 (ICJ Advisory Opinion).

12 See for example UNHRC, ‘[National human rights institutions](#)’ (7 October 2022) UN Doc A/HRC/RES/51/31; ‘[The human right to a clean, healthy and sustainable environment](#)’ (8 October 2021) UN Doc A/HRC/RES/48/13.

13 UNGA, ‘[Principles relating to the status of national institutions](#)’ (20 December 1993), UN Doc A/RES/48/134 (Paris Principles). See also Global Alliance of National Human Rights Institutions (GANHRI), ‘[Paris Principles](#)’.

structure developed and tested by NHRIs. By leveraging this adaptable framework, NHRIs can better exercise their vital mandates to protect vulnerable communities, influence national policy, and drive sustainable, rights-based environmental action.

UNDERSTANDING THE IMPACTS OF ENVIRONMENTAL DEGRADATION ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS



General Comment No. 27 of the Committee on Economic, Social and Cultural Rights (2025) provides a helpful framework for understanding obligations of states in relation to the environment under the International Covenant on Economic, Social and Cultural Rights (ICESCR):

- ↳ The **obligation to respect** requires States to refrain from acts that foreseeably contribute to or cause significant harms to the air, land, water, the oceans, climate stability, biodiversity and ecosystems.
- ↳ The **obligation to protect** requires States Parties to prevent environmental harms that could result in violations, including by regulating the activities of other actors, such as business entities. Where there is a risk of serious and irreversible environmental harm, States should apply the precautionary principle in the absence of scientific certainty and prevent such harm where possible.
- ↳ The **obligation to fulfil** requires States Parties to take appropriate legislative, administrative, financial, judicial and other measures to ensure the enjoyment of human rights, including through the preservation, protection and restoration of ecosystems essential to those rights. Effective mechanisms must also be in place to ensure accountability and provide redress to victims of business-related human rights abuses.

1.3 HOW TO USE THE R2HE MONITORING TOOL

The purpose of the NHRI Tool for Monitoring the R2HE (the Tool) is to support NHRIs to monitor the R2HE in their national settings, and also includes suggestions for follow-up activities. Equally, the Tool can be used by Indigenous Peoples, civil society organizations (CSOs), EHRDs and others interested and engaged in advancing the R2HE.

Whether utilized by NHRIs to structure their oversight or by civil society to empower their advocacy, application of the R2HE at the national level will help shape elaboration and interpretation of its content at the international level, while, in parallel, international efforts to clarify and practically guide on the R2HE are crucial to support national-level implementation. All countries should meet their human rights obligations with respect to the environment, including by taking urgent and immediate measures to prevent severe harm. To advance this, there is a need for international cooperation to support the R2HE, including through financing and support for environmental solutions in line with the principle of common but differentiated responsibilities.¹⁴

It is important to note that when terms such as ‘violations’ of rights or elements of the R2HE are referred to in the Tool, these are used in their broad meaning rather than in the strict legal or juridical sense. Additionally, while specific indicators for monitoring the R2HE are not provided, the Tool’s structure and links to existing international indicators are provided, which could be used directly or adapted to monitor efforts at the national level.

¹⁴ See also Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment, ‘The Right to a Healthy Environment: A User’s Guide’ (2024) p 14.

Prioritization Process

To prioritize what to monitor within the R2HE, NHRIs can engage in a national prioritization process with the participation of relevant stakeholders to monitor the most relevant elements of the R2HE. This can include starting with one of the substantive or procedural elements of the R2HE outlined below considered most salient for the protection of the R2HE given the national context, focusing on monitoring this element to build expertise, capacity and networks of partners for advancing other elements in the future, and the broader R2HE. To monitor sector or industry-specific issues, for example, mining, deforestation, or agricultural practices, NHRIs are encouraged to first assess and map the potentially most relevant environmental harms related to the sector or issue and connect them to one or more of the R2HE elements.

GENERAL GUIDANCE ON MONITORING THE R2HE



The guidance given below is to help NHRIs monitor the R2HE at the national level, including actual environmental harms. The focus is on monitoring given feedback from NHRIs of the importance of this function in opening up other key mandates of NHRIs, including investigations, advocacy and capacity development. Through applying their consultation, complaints-handling, and public communication functions, NHRIs can identify areas of potential environmental harm, as well as actions to be taken in response.¹⁵ This monitoring work can also assist with other broader functions of NHRIs, such as awareness-raising.

As part of the monitoring work, NHRIs can, for example:

- ↳ **Host public education or awareness activities to identify challenges:** Inform communities about the various elements of the R2HE and ask them to share their experiences, enabling identification of concerns or challenges in relation to these elements.
- ↳ **Establish relationships with external experts:** Technical experts will be able to assist NHRIs with interpreting technical data and information to establish, for instance, whether environmental harms are occurring. Strengthening relationships with such experts, including using Indigenous and community science and other forms of knowledge, will be especially valuable for NHRIs that do not have extensive internal expertise on environmental matters.
- ↳ **Conduct human rights-based assessments relating to the substantive elements of the R2HE:** Assessments should include the experiences of communities at heightened risk of marginalization or vulnerability due to environmental harms.
- ↳ **Convene multi-stakeholder consultations:** Collect qualitative evidence and ensure that the monitoring work reflects inclusive and participatory processes. It is important to involve the communities and groups at heightened risk of marginalization or vulnerability.
- ↳ **Information from complaints and investigations:** May provide primary data for monitoring environmental harms.

The UN Special Rapporteur on the Human Right to a Healthy Environment has the mandate to examine human rights obligations related to the R2HE, including challenges and best practices. The Special Rapporteur has produced a wide range of reports on all aspects of implementation of the R2HE and its elements, which NHRIs may find useful to consider alongside the information contained in this Tool. Information on the work of the current mandate holder and former Special Rapporteurs, including reports produced and policy briefs, can be found [here](#).

¹⁵ See also Part 4 (Next Steps) of this Tool.

Part 1

Provides a general introduction to the Tool and the R2HE. It sets out the structure and methodology for monitoring specific elements of the R2HE.

Part 2

Provides a set of practical steps and considerations to support NHRIs in monitoring the substantive elements of the R2HE.

Part 3

Provides considerations for monitoring the procedural elements of the R2HE.

Part 4

Suggests steps NHRIs could take as a follow-up to the monitoring they undertake through this Tool.

DESK-BASED REVIEW

STAGE 1

Draft criteria for monitoring were formulated based on a desk review and synthesis of existing documentation delineating what the implementation of the R2HE means in practice.¹⁶ For individual elements of the R2HE, a number of existing human rights assessments or guidance documents from the UN, NHRIs, CSOs, and experts were reviewed, as well as reports of the Special Rapporteur on the R2HE.

CONSULTATIONS

STAGE 2

UNDP, OHCHR and GANHRI working jointly under the auspices of the TriPartite Partnership to support National Human Rights Institutions in strong collaboration with UNEP, established the NHRI Reference Group of 12 NHRIs, including Colombia, Denmark, Georgia, Germany, Honduras, Kenya, Morocco, Panama, Paraguay, Philippines, Sierra Leone and Zambia.¹⁷ The Reference Group provided technical and overall feedback on the Tool. In addition, a wide range of technical experts were consulted on the draft, who are recognized above in the acknowledgements section. Two drafts of the Tool were prepared and shared for further feedback among the Reference Group and experts.

PILOTS

STAGE 3

The draft monitoring tool was piloted by four NHRIs, ensuring balanced regional representation, and each focusing on different areas of focus based on their national context. Feedback from these pilots has been incorporated to refine the Tool. The NHRI pilots helped to ensure the Tool was practical, adaptable to different country contexts, and supported monitoring across interconnected elements of the R2HE.

NHRI	AREA OF FOCUS
Georgia	Water
Malawi	Pollution in the context of mining
Paraguay	Water pollution
Samoa	Plastic pollution

16 Key reference documents included: Special Rapporteur on Human Rights and the Environment, 'Framework Principles on Human Rights and the Environment' (2018) UN Doc A/HRC/37/59, which set out the minimum obligations of States with regard to the right to a healthy environment; OHCHR, UNEP, and UNDP, 'What is the Right to a Healthy Environment? Information Note' (2023); and UN Human Rights Special Procedures and UNEP, 'Right to a Healthy Environment: Good Practices' (2020).

17 The TriPartite Partnership to Support National Human Rights Institutions (TPP) was established in 2011 by the UNDP, the OHCHR, and the GANHRI to harness the collective strengths and comparative advantages of each partner in support of national human rights institutions (NHRIs).

1.5 ELEMENTS OF THE RIGHT TO A HEALTHY ENVIRONMENT

While there is no universally agreed definition of the content of the R2HE as the right continues to evolve, the core elements are generally understood to be:¹⁸

- ↳ Safe climate
- ↳ Clean air
- ↳ Healthy ecosystems and biodiversity
- ↳ Safe water and adequate sanitation
- ↳ Healthy and sustainably produced food
- ↳ Non-toxic environments

The procedural elements of the R2HE are:

- ↳ Access to Information
- ↳ Participation in decision making
- ↳ Access to justice and effective remedies

It is important to note that all elements are interrelated. Furthermore, States have the obligation to implement international human rights and environmental law in an integrated manner. In addition, the Overview section for each element highlights links between the elements of the R2HE and other human rights, as well as related SDGs.

CONNECTING THE R2HE WITH OTHER HUMAN RIGHTS



Each element of the R2HE examined below provides a non-exhaustive list of related human rights to be considered when monitoring. Some additional examples are provided below to highlight the importance of making such connections for monitoring efforts:

- ↳ The right to life cannot be enjoyed in any meaningful way when a person is living in a 'sacrifice zone', which is an area of severe environmental pollution or degradation where grave breaches of the R2HE, such as toxic pollution, occur.¹⁹
- ↳ The availability of healthy sustainable food, housing, clean water, and sanitation, and the fulfilment of the human rights associated with these, are determined by environmental conditions.
- ↳ Environmental degradation, including air pollution, water contamination, soil degradation, biodiversity loss and climate change-related events can lead to health issues, impacting the right to health and exacerbating inequalities and existing vulnerabilities

Human Rights and Environment Explorer (Danish Institute for Human Rights):

The Human Rights and Environment Explorer enables users to quickly access authoritative interpretations of State human rights obligations in environmental matters from human rights treaty bodies and courts. The free online database is structured around the right to a clean and healthy environment elements as well as relevant human rights, affected groups and various environmental topics. The Explorer can be used by NHRIs to monitor the R2HE by identifying:

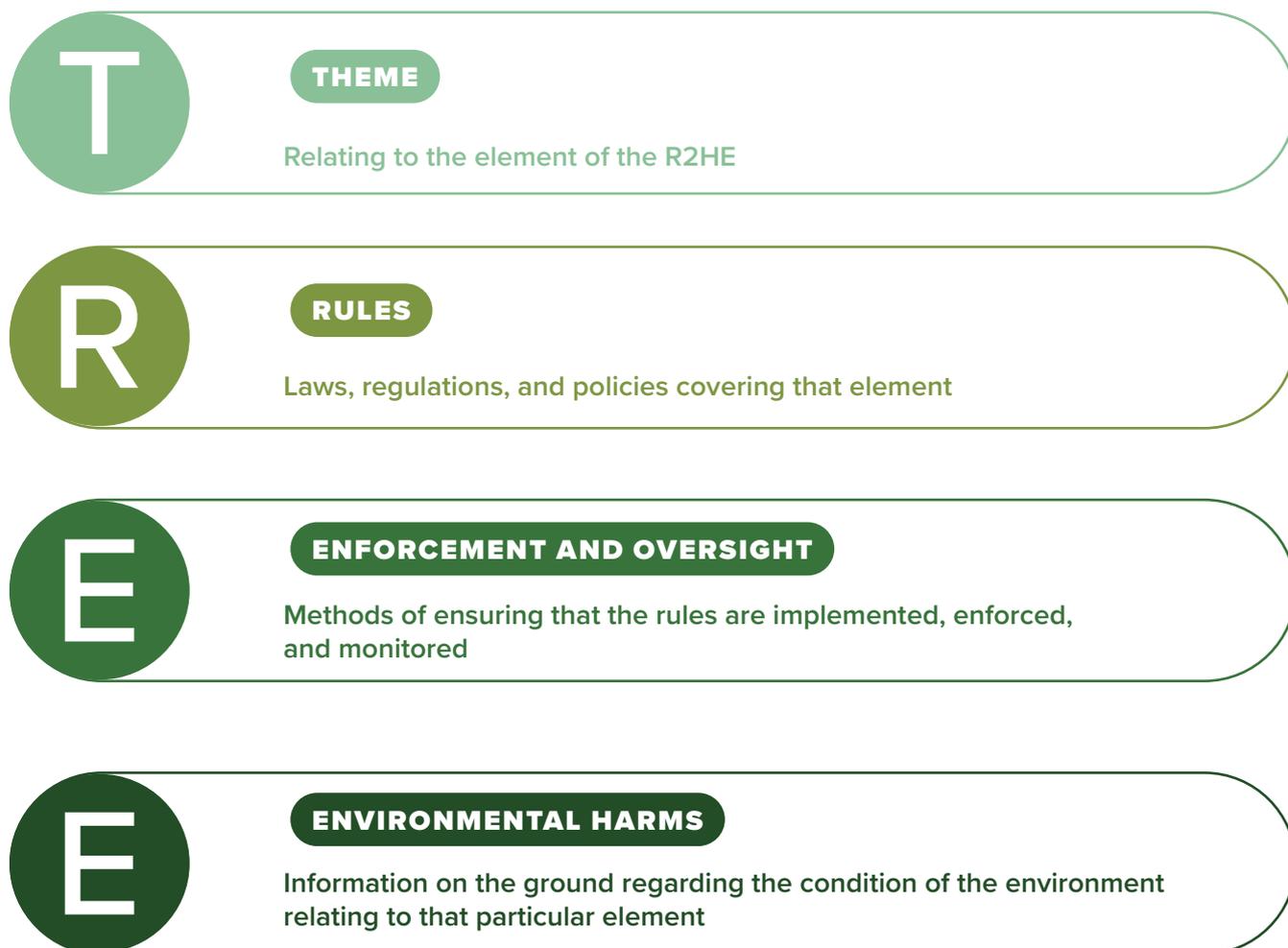
- ↳ States' legally binding human rights obligations in relation to the environment
- ↳ Linkages between elements of the R2HE with other human rights
- ↳ Human rights risks and impacts on certain groups and people

¹⁸ See OHCHR, UNEP, and UNDP, 'What is the Right to a Healthy Environment? Information Note' (2023).

¹⁹ For more on 'sacrifice zones' see Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, 'The right to a clean, healthy and sustainable environment: non-toxic environment', (2022) UN Docs A/HRC/49/53.

1.6 TREE STRUCTURE

The guidance for monitoring the substantive elements of the R2HE is structured using the acronym 'TREE':²⁰



The TREE structure invites NHRIs to consider: (i) the existence of rules, bodies, mechanisms, and processes supporting each element of the R2HE, (ii) their adequacy and effectiveness, and (iii) environmental and human rights conditions on the ground. An adapted version of the TREE structure is used for monitoring the procedural elements of the R2HE.

²⁰ The TREE structure for monitoring the substantive elements of the R2HE is informed by the structure of assessing laws and policies, processes and outcomes found in the OHCHR, *Human Rights Indicators: A Guide to Measurement and Implementation* (2012).

1.7 CONSIDERATIONS BEFORE APPLYING THE TREE STRUCTURE

NHRIs are encouraged to consider the following factors before reviewing individual elements of the R2HE. Such considerations provide an important foundation for designing and operationalizing strategies to monitor the R2HE depending on the level of commitment or implementation of the R2HE at the national level:²¹

1. STRENGTH OF THE NATIONAL COMMITMENT TO THE R2HE

- ↳ Did your country support the UN General Assembly or Human Rights Council resolutions on the R2HE?
- ↳ Is your country a party to a treaty which recognizes the R2HE?
- ↳ Are there any UPR recommendations made and accepted relevant to R2HE and any actions taken to implement the recommendations by your country?
- ↳ Is the R2HE protected in your country's constitution or other legislation?
- ↳ Is there any relevant jurisprudence and other case law establishing or interpreting the R2HE from national or regional levels applied in your national context?
- ↳ Is the implementation of the R2HE monitored at the national level? For example, through periodic 'State of the Environment' reports issued by the government that consider human rights dimensions.
- ↳ Are there efforts to sideline the legal protection provided by the R2HE or weaken its implementation?

2. STRUCTURAL BARRIERS TO THE ADOPTION OR IMPLEMENTATION OF THE R2HE

- ↳ Are you operating in a fragile and conflict-affected setting, or with political instability?
- ↳ Are there financial or institutional barriers, such as insufficient budgetary allocation by the state, expertise, or capacity for environmental protection and enforcement?
- ↳ Are you facing economic barriers, such as a high percentage of national revenue coming from the extraction of fossil fuels or natural resources, and narrow fiscal space?
- ↳ Is there high levels of corruption or the existence of illegal economies?
- ↳ Do corporate actors exert disproportionate influence on the state?
- ↳ Are there weak rule of law and ineffective justice system?

3. GROUPS AND COMMUNITIES DISPROPORTIONATELY IMPACTED

- ↳ What is the situation of communities at heightened risk of marginalization and vulnerability for historic or systemic reasons, who are likely to face inequality and be disproportionately impacted by violations of the R2HE? Are intersectional approaches taken to prevent and mitigate such risks?
- ↳ Are there contested security of land and tenure rights, particularly of Indigenous Peoples, minorities, People of African Descent, women, peasants and other people working in rural areas?
- ↳ Are there 'sacrifice zones' and areas disproportionately impacted by pollution and environmental degradation?
- ↳ Are there cultural and language barriers to the implementation of the R2HE including by providing information and ensuring participation of certain groups in environmental matters?
- ↳ Do EHRDs experience intimidation, criminalization, and violence?²²

21 See also Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment, 'The Right to a Healthy Environment: A User's Guide' (2024).

22 See also 'Resources for Monitoring the Situation of Environmental Human Rights Defenders'.

- Is there social-environmental conflict, including conflict over natural resources?
- Are there extraterritorial or transboundary environmental impacts, violations, or abuses of the R2HE?

BUSINESS, HUMAN RIGHTS, AND THE ENVIRONMENT



The activities of businesses can have significant impacts on the R2HE. The international framework governing this area is the [UN Guiding Principles on Business and Human Rights \(UNGPs\)](#). The UNGPs provide the global standard for preventing and addressing human rights impacts by businesses across three pillars: the State duty to **protect** human rights, the corporate responsibility to **respect** human rights, and **remedy** for human rights violations and abuses in the context of business activity.

- To meet their responsibility to respect human rights, businesses are expected to respect internationally recognized human rights, including the R2HE.
- In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence (HRDD). This process should take account of the R2HE and any other human rights harms connected to environmental degradation.
- By preventing and mitigating their environmental harms, businesses play a central role in addressing multiple environmental crises. Businesses should also consider how proactively protecting, restoring, and improving the environment can help to address and remedy human rights harms.

Further guidance is provided in UNDP's '[Human Rights Due Diligence and the Environment: A Practical Tool for Business](#)' on understanding and monitoring business efforts to conduct HRDD with environmental dimensions.

- In its [Advisory Opinion on the Obligations of States in respect of Climate Change \(2025\)](#), the ICJ found that States must ensure that activities carried out by private actors within their jurisdiction do not undermine climate protection. For example, a state may be responsible for not taking the necessary regulatory and legislative measures to limit the GHG emissions caused by private actors under its jurisdiction.²³

NHRIs play a critical role in monitoring corporate abuses of the R2HE by:

- Monitoring State regulation of business respect for the R2HE, including the activity of State-owned enterprises.
- Monitoring corporate efforts to implement HRDD with environmental dimensions in line with the UNGPs, including corporate compliance with relevant regulatory initiatives.
- Supporting affected communities to access remedies, including by securing compensation, restitution, or holding businesses accountable for abuses of the R2HE.²⁴

Throughout the Tool, further detailed "Guidance for NHRIs" is provided on how to monitor business abuses of the R2HE across the three pillars of the UNGPs.

²³ [ICJ Advisory Opinion](#) para 428.

²⁴ For more, see Working Group on the issue of human rights and transnational corporations and other business enterprises, '[Role of national human rights institutions in facilitating access to remedy for business-related human rights abuses](#)' (2021); See also OHCHR, '[Access to Remedy in Cases of Business-Related Human Rights Abuse: An Interpretive Guide](#)' (2024), p 53.

Part 2

MONITORING GUIDANCE - SUBSTANTIVE ELEMENTS



The following sections give guidance to NHRIs on how to monitor the implementation of the six so called substantive elements of the R2HE: Safe Climate, Clean Air, Healthy Ecosystems and Biodiversity, Safe Water and Adequate Sanitation, Healthy and Sustainable Produced Food, and Non-Toxic Environments.

READ THIS FIRST: PROTECTION OF THE R2HE AS AN OVERARCHING RIGHT



When using the Tool, it is important to keep in mind that the elements of the R2HE listed below are part of one overarching right protecting the natural systems that are essential for the flourishing and enjoyment of all human rights. NHRIs are encouraged to consider the interlinked and mutually reinforcing nature of the elements of the R2HE, as well as their interconnectedness and interdependence with other human rights that NHRIs may already be examining. The procedural elements of the R2HE discussed in Part III are also integral to its implementation.

Assessments could consider, for example, how a safe climate can have positive impacts on air quality by reducing certain types of emissions, or how the use of Genetically Modified Organisms can impact both healthy ecosystems and human health, as well as how unsafe water impacts healthy and sustainably produced food. At the beginning of each element, a suggested list of possibly related human rights is provided to support NHRIs in such assessments.

2.1 SAFE CLIMATE

2.1.1

Theme

T



Impacts

Increasing climate impacts are destroying ecosystems, putting millions of people into food and water insecurity, and causing loss of life, livelihoods, health problems, and displacement.



Other key human rights affected

Rights to life, health, food, water and sanitation, housing, development, equality and non discrimination, education, and culture, as well as the rights of the child and future generations.²⁵



Obligations

States have human rights obligations to prevent significant harm to the environment, including the climate system and to take the necessary measures to protect the lives and rights of everyone.



Linked SDGs

Safe climate is linked to SDG 13 (Climate Action), which directly contributes to a stable climate.²⁶ Addressing climate change is also linked to the achievement of a number of other SDGs, such as SDG 7 (Affordable and Clean Energy), SDG 2 (Zero Hunger), SDG 3 (Good Health and Well-Being), SDG 6 (Clean Water and Sanitation), SDG 8 (Decent Work and Economic Growth), and SDG 12 (Responsible Consumption and Production).²⁷

2.1.2

Rules



Please consider the ‘rules’, related to a safe climate in your context, including the relevant standards and obligations, and the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **United Nations Framework Convention on Climate Change (UNFCCC) [1992]:** International climate treaty that aims to prevent dangerous human interference with the Earth’s climate system.²⁸
- ↳ **Paris Agreement to the UNFCCC [2015]:** Agreement to limit global warming to well below 2 degrees Celsius and to pursue efforts to limit the temperature increase to 1.5 degrees Celsius, with 195 states parties.²⁹

Guidance for NHRIs

- ✓ Monitoring the State’s international legal obligations on climate change to ensure it is meeting its commitments to limit GHG emissions and protecting GHG sinks and reserves, and protect human rights.
- ✓ Monitoring national commitments relating to mitigation, climate finance, adaptation, loss and damage, and just transition; positions taken at multilateral environmental negotiations; and other contributions to UNFCCC and other related processes.

Climate litigation and case law

- ↳ **Global Climate Litigation Reports (UNEP):** Track progress and identify trends relating to case law, including human rights cases.
- ↳ **Climate Change Litigation Databases:** Provides two databases of both global and US climate change case law.
- ↳ **Climate Change Laws of the World database:** Database on global laws and policies related to climate change, accompanied by Annual ‘Global Trends in Climate Litigation’ reports.
- ↳ **Climate Database for Latin America and the Caribbean:** Judicial and administrative climate litigation in Latin America and the Caribbean.

26 It also relates to SDGs 2 (Hunger), 6 (Clean Water and Sanitation) as well as SDGs 13, 14 and 15, among others.

27 See for example SDGs 7,2,3, 6, 8 and 12.

28 See [here](#) for status of ratification by states and regions.

29 See [here](#) for status of ratification by states and regions.



Guidance for NHRIs

- ✓ Monitoring international legal obligations of States against climate case law and opinions to ensure that national 'rules' align with such obligations and standards. International courts have given guidance on monitoring international legal obligations of states in respect of climate change. The ICJ has set out State obligations with respect to climate change.²⁸
- ✓ Monitoring policy coherence and integration of international obligations by States in climate action and solutions to ensure a unified, non-contradictory governmental response to the climate crisis that are assessed for their impacts on people, based on science, and do not exacerbate human rights impacts on people.
- ✓ Monitoring State efforts and contributions to international climate cooperation to ensure equitable burden-sharing and support for global climate resilience.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

Regional Human Rights Conventions

- ↳ **African Charter on Human and Peoples' Rights [1981]:** Article 24 provides a framework for protection against the impacts of climate change.³¹
- ↳ **European Convention on Human Rights [1950]:** The European Court of Human Rights (ECtHR) has found that states need to take action on climate change to protect the right to private and family life.³²
- ↳ **Inter-American Convention on Human Rights [1969]:** The IACtHR has produced an advisory opinion on states' obligations relating to climate change.³³

Guidance for NHRIs

- ✓ Monitoring regional obligations to ensure alignment at the national level for cohesive climate and human rights protections.

³⁰ *ICJ Advisory Opinion* para 172.

³¹ The African Court of Human and Peoples' Rights has been asked to provide an Advisory Opinion on human rights and climate change, *Request for an advisory opinion on the human rights obligations of African states in addressing the climate crisis*, African Court on Human and Peoples' Rights (2025).

³² *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* App no 53600/20 (ECtHR, 9 April 2024).

³³ *Climate Emergency and Human Rights* (Advisory Opinion) OC-32/25 (IACtHR, 29 May 2025) (*IACtHR Climate Advisory Opinion*).

Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **Nationally Determined Contributions (NDCs):** Climate action plans submitted by countries under the Paris Agreement.³⁴

Guidance for NHRIs

- ✔ Monitoring NDC commitments against actual actions to ensure that stated climate goals are actively realized through tangible implementation.³³

Mitigation - Actions taken to reduce or prevent GHG emissions

- ↳ **GHG reduction:** Laws and policies that address GHG reductions, including in relation to planning, transport, and energy usage, in line with the Paris Agreement goal of limiting warming to 1.5°C and mobilizing climate finance and other resources as appropriate.
- ↳ **Corporate regulation:** Laws and policies that regulate corporate GHGs, including by adopting the [GHG Protocols](#), and mandatory measures for businesses to conduct human rights and environmental due diligence.
- ↳ **Fossil fuel phase-out:** Laws and policies that specifically phase out the use of fossil fuels, preserve or enhance natural sinks that facilitate the transition to green energy systems.³⁶
- ↳ **Just transition:** Laws and policies governing the process of moving away from fossil fuel economies and toward a sustainable economy.³⁷
- ↳ **Environmental and social safeguards and assessments:** Laws and policies mandating environmental and social safeguards and assessments for climate action, such as any carbon offsetting or climate credit projects.³⁸
- ↳ **Future generations:** Laws and policies that recognize intergenerational and the projected long-term impacts of climate change.

Resources

- ↳ **[Integrating human rights in nationally determined contributions \(NDCs\)](#):** aid States, policymakers, development agencies, civil society, and other relevant stakeholders in integrating human rights in NDCs.
- ↳ **[Guidance Tool for Integrating Rights of Persons with Disabilities in Nationally Determined Contributions \(NDCs\)](#)**

34 See [Nationally Determined Contributions Registry](#) for record of NDCs.

35 See Sections [2.1.3 \(Enforcement and Oversight\)](#) and [2.1.4 \(Environmental Harms and Impacts\)](#) of this Tool.

36 See Special Rapporteur on the promotion and protection of human rights in the context of climate change, 'The imperative of defossilizing our economies' (2024) UN Doc A/HRC/59/42.

37 See Special Rapporteur on the promotion and protection of human rights in the context of climate change, 'A human rights-based approach to the energy transition' (2025) UN Doc A/80/188; See also Report of the Secretary-General, 'Synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people' (2025) A/HRC/60/52; See also ILO, [Guidelines for a just transition towards environmentally sustainable economies and societies for all](#) (2016); See also OHCHR, ILO, 'Key Messages on a Just Transition and Human Rights' (2024).

38 Carbon Offsetting and Climate Credit projects aim to reduce or avoid carbon emissions. They often take place in developing countries or emerging markets and are bought to count towards emissions reductions in higher income countries. See for example LSE Grantham Research Institute on Climate Change and the Environment, 'What Are Carbon Offsets?'



Guidance for NHRIs

- ✓ Monitoring laws and policies across different sectors and areas for alignment with human rights obligations of States and responsibilities of business in the context of climate change.³⁷
- ✓ Monitoring laws and policies for the protection of groups at heightened risk of vulnerability and marginalization from the impacts of climate change, including equality and non-discrimination, gender-responsiveness, and future generations.³⁸
- ✓ Monitoring laws and policies for alignment with the ICJ Advisory Opinion on Climate Change to ensure the State is not facilitating fossil fuel production, consumption, or subsidies.

Adaptation - Actions taken to respond to climate impacts

- ↳ **National Adaptation Plans (NAPs):** Planning climate change adaptation, to reduce vulnerabilities, enhance resilience, and integrate adaptation into national development planning. [NAP Tracking Tool](#) is available for status check.

Resources

- ↳ **Human Rights Obligations and Adaptation to Climate Change:** Analysis of recommendations to States from international Human Rights Mechanisms.
- ↳ **Adaptation Gap Reports (UNEP):** Annual Reports comparing the adaptation finance available for developing countries with international goals and commitments, as well as assessing gaps between adaptation planning and implementation.
- ↳ **A Guide for Integrating Human Rights and Sustainable Development in the Global Goal on Adaptation:** Providing Global Goals on adaptation with 59 indicators.
- ↳ **Human mobility:** Laws and policies for addressing displacement, migration and planned relocation due to climate change.⁴¹
- ↳ **Health:** Laws and policies addressing climate change impacts on health.⁴²
- ↳ **Disaster risk management:** Laws and policies addressing prevention, mitigation, preparedness, response, and recovery from the adverse impacts of climate change.⁴³
- ↳ **Nature-based adaptation:** Laws and policies promoting and prioritizing nature-based adaptation to ensure strategies co-benefit other elements of the R2HE.



- 39 See Special Rapporteur on the promotion and protection of human rights in the context of climate change, '[Scene-setting report](#)' (2024) UN Doc A/HRC/56/46.
- 40 See *UN Declaration on Future Generations* (annexed to Summit of the Future Outcomes documents, 'Pact for the Future, Global Digital Compact, and Declaration on Future Generations') (2024). For guiding principles on the human rights of future generations, see '[Maastricht Principles on the Human Rights of Future Generations](#)' (2023).
- 41 See OHCHR, '[Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps](#)' (2018) UN Doc A/HRC/38/21. Climate Change and displacement was also addressed by the IACTHR Climate Advisory Opinion. See also the report of the Special Rapporteur on human rights and climate change, '[Providing legal options to protect the human rights of persons displaced across international borders due to climate change](#)' UN Doc A/HRC/53/34. See also OHCHR '[Human rights, climate change and migration](#)'. See also climate related reports of the Special Rapporteur on the human rights of internally displaced persons and the [Special Rapporteur on the right to adequate housing](#).
- 42 OHCHR, '[Analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#)' (2016).
- 43 See [UNDRR Sendai Framework for Disaster Risk Reduction \(2015-2030\)](#) outlines seven clear targets and four priorities for action to prevent new and reduce existing disaster risks.

Loss and Damage - Adverse impacts of climate change that occur despite mitigation and adaptation efforts

- ↳ **Loss and Damage:** Laws, policies, and plans addressing loss and damage, including in NDCs, NAPs, and long-term low-emission development strategies, ensuring access to remedies for climate injustices, and advancing transitional justice approaches.⁴⁴

Guidance for NHRIs

- ✓ Monitoring integration of a human rights and equity-based approaches to loss and damage in climate laws, policies, and assessments.

Climate Actions

- ↳ **Global Climate Action Portal:** Online platform where actors from around the globe, including countries, regions, cities, companies, investors, and other organizations, can register their commitments to act on climate change.

Guidance for NHRIs

- ✓ Monitoring laws and policies for alignment with human rights obligations of States and responsibilities of business. This includes laws and policies that address climate impacts on the people most affected, such as women and girls, people in poverty, Indigenous Peoples, older persons, children, persons with disabilities, persons in street situation, and migrants, and the impact of climate solutions, including across mitigation and adaptation, on such groups.⁴³
- ✓ Monitoring and analyzing climate change-related laws, policies, programmes, and initiatives for alignment with human rights obligations through a systematic approach, including analysis of climate elements in relevant sectors, industries or other areas, such as transportation, energy, finance, labour, agriculture, or natural resources management.

⁴⁴ See OHCHR, Report of the Secretary-General, 'Analytical study on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights, exploring equity-based approaches and solutions to addressing the same' (2024) UN Doc A/HRC/57/30.

⁴⁵ See OHCHR, 'The impacts of climate change on the human rights of people in vulnerable situation' (2022) UN Doc A/HRC/50/57. See also Special Rapporteur on the promotion and protection of human rights in the context of climate change, 'Scene-setting report' (2024) UN Doc A/HRC/56/46.

Please consider how the ‘rules’ related to a safe climate are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.



ENFORCEMENT AND OVERSIGHT ON PAPER

- ↳ **Reporting and assessments:** Assessments and monitoring reports reviewing your country’s climate laws, policies, and practices against obligations under the UNFCCC and Paris Agreement, as well as human rights impacts noted by the [UPR](#), [Human Rights Treaty Bodies](#), [Special Rapporteur country missions](#), and regional human rights mechanisms.
- ↳ **Enhanced Transparency Framework (ETF):** Government reports on their progress in implementing the Paris Agreement with the information gathered, feeding into a [Global Stocktake](#). ETF also includes regular reporting against NDCs and Biennial Transparency Reports.
- ↳ **Nationally collected information:** Information on climate change, including:
 - Levels of GHG emissions and sources of emissions.
 - Use of fossil fuels and renewable energy.
 - Slow onset and rapid onset events and their human rights impacts.
 - Measures to ensure a just transition away from fossil fuels.
 - Impact of climate change on cost of living and on livelihoods.
 - Budget allocation and climate finance.
 - Outcomes of surveys, consultations, or other assessments in engaging the public on the adverse impacts of climate change and climate actions.

PAPER



ENFORCEMENT AND OVERSIGHT IN PRACTICE

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts and other relevant bodies, such as arbitration bodies on climate change, including challenges taken as part of regional legal actions and sector-specific challenges on climate impacts.⁴⁶
- ↳ **Enforcement agencies:** Environmental enforcement agencies, prosecutors, police, and other actors with responsibility for detecting, inspecting, investigating, and enforcing climate action and related action.

PRACTICE



ENFORCEMENT AND OVERSIGHT IN PROCESS

- ↳ **Consultations:** Processes to engage the public and particularly those most affected by climate change and responses to it, including youth.⁴⁷
- ↳ **Climate monitoring and integrated response:** Processes to systematically monitor climate action to ensure an integrated response across government, in turn supporting cohesive action across sectors, including industry, transport, agriculture, health, and education, as well as among business, civil society, and other actors.

Guidance for NHRIs

-  Monitoring climate data collection efforts to ensure decision-making and reporting are grounded in the best available science.

Monitoring efforts to adapt inspection and enforcement to ensure readiness for expected climate impacts, including potential conflicts over natural resources.
-  Monitoring institutional efforts to apply human rights-based approaches (HRBA) to climate responses are informed by the lived experiences of the communities most affected.
-  Monitoring consultation processes in relation to combating climate change to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
-  Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches to combatting climate change, including Indigenous approaches.
-  Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to climate change.

Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts from climate change, including:

- ↳ **International and regional:** International and regional sources that provide an overall picture of climate change and its impact on your country.
- ↳ **National:** National sources that give you a picture of how climate impacts are being experienced and responded to on the ground, for example, through independent research institutes, academia, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks.

Sources below provide information on climate impacts and vulnerabilities faced by countries and communities.

LEVEL INTERNATIONAL



- ↳ **Intergovernmental Panel on Climate Change (IPCC) 6th Assessment Synthesis Report (IPCC):** Provides the current state of knowledge (as of 2023) about climate change impacts and risks, as well as mitigation and adaptation actions taken.
- ↳ **Working Group II Contribution to IPCC 6th Assessment Report (IPCC):** Looks at the impacts of climate change on human societies, ecosystems, and biodiversity, searchable by region or by ecosystem.
- ↳ **Sea Level Projection Tool:** Enables users to see the sea level rise projections data from the IPCC 6th Assessment Report on a map.
- ↳ **Land and Sea Surface Temperature:** Provides maps of the Earth's surface based on a range of criteria, such as land surface temperature, snow cover, and vegetation.
- ↳ **World Meteorological Organization:** Provides key data on climate weather shifts.
- ↳ **UNEP's World Environment Situation Room:** Provides global data on temperature rise and impacts.
- ↳ **Climate Action Tracker:** Tracks government climate action and measures it against the globally agreed Paris Agreement aim of holding warming well below 2°C, and pursuing efforts to limit warming to 1.5°C.
- ↳ **Climate Trace:** GHG emissions tracked by an independent coalition, searchable by city, country, and 'owner'.
- ↳ **Climate Change Performance Index:** An independent tool managed by CSOs, which compares the climate performance of 63 countries and the EU.
- ↳ **GHG Protocols:** Provides standards, guidance, tools, and training for business and government to measure and manage climate-warming emissions.
- ↳ **Emissions Gap Reports (UNEP):** Annual Reports comparing emissions projections or NDCs prepared by States with the emissions reductions needed to stay within the goals of the Paris agreement.



- ↳ **Reports of the UN Special Rapporteur on the promotion and protection of human rights in the context of Climate Change (UNHRC):** Reports discussing diverse aspects of climate change and its impacts on human rights, including knowledge of impacts, challenges, and best practices.
- ↳ **Lancet Countdown on Health and Climate Change:** An international, multidisciplinary collaboration providing an independent assessment of the delivery of commitments made by governments worldwide under the Paris Agreement, by monitoring key indicators across health and climate change.

LEVEL NATIONAL



- ↳ **National carbon budgets:** Information regarding the State's specific limits on greenhouse gas emissions over set periods to meet climate goals.
- ↳ **Renewable energy:** Percentage of energy generated from renewable energy sources compared to fossil fuels.
- ↳ **Sustainable food systems:** How food systems impact climate change, including increases in sustainable and regenerative food production practices, and reduction of the carbon footprint of food systems. Also how climate change impacts food systems, for example by changing rain patterns.⁴⁸
- ↳ **Health and disaster impacts:** Climate-related health impacts and illnesses, including the number of deaths, injured, or displacement by climate-related disasters, including slow-onset disasters, such as water salination or crop failures.⁴⁹
- ↳ **Water availability:** Climate impacts on water availability.⁵⁰
- ↳ **Extreme weather events:** Changes in weather patterns or increases in severe weather events in your country linked to climate change.
- ↳ **People at heightened risk of marginalization or vulnerability:** Climate change impacts on women and girls, persons with disabilities, Indigenous Peoples, smallholder producers, and other groups at heightened risk of marginalization or vulnerability.⁵¹
- ↳ **Economy and livelihood:** Climate impacts on economic activity and livelihoods.
- ↳ **Carbon markets and safeguards:** Existence of climate offset or carbon market projects, as well as the presence of human rights-compliant environmental and social safeguards.
- ↳ **Cultural impacts:** Climate impacts on cultural practices.⁵²
- ↳ **Financial support for communities at heightened risk of marginalization or vulnerability:** Grants, insurance schemes, or other financial support for the communities at heightened risk of marginalization or vulnerability to be able to respond to climate change.
- ↳ **EHRDs:** Situation of EHRDs advocating for climate justice face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **International support:** Climate finance and other types of support provided or received by historically low GHG-emitting countries.
- ↳ **Intergenerational equity:** Assessments of climate impacts on future generations and intergenerational analysis of climate change.

48 For more on the linkages between climate change, food systems and human rights see OHCHR, '[The impact of climate change on the right to food](#)'.

49 For more on linkages between climate, change, health and human rights see OHCHR, '[The impact of climate change on the enjoyment of the right to health](#)'.

50 For more see Special Rapporteur on the human rights to safe drinking water and sanitation, '[Special thematic report on climate change and the human rights to water and sanitation](#)' (2022).

51 For more see OHCHR, '[The impact of climate change on the rights of people in vulnerable situations](#)'.

52 For more see Special Rapporteur in the field of cultural rights, '[Climate change, culture and cultural rights](#)' (2022) A/75/298.



- ↳ **Transboundary environmental harm:** State efforts to monitor transboundary environmental harms, including climate impacts.
- ↳ **Corporate accountability and regulation:** State efforts to monitor and regulate corporate contributions to climate change and respect for human rights.⁵³
- ↳ **Case law:** Case law relating to climate and the implementation or enforcement of related decisions or measures.

Guidance for NHRIs

- ✓ Monitoring climate change impacts on those at heightened risk of marginalization and vulnerability, including women and girls, Indigenous Peoples, children, older persons, and persons with disabilities.⁵⁴ If helpful for NHRIs, suggest to consider as possible area for monitoring the adverse impacts of climate change, and the adverse impacts and risks to human rights from both climate change mitigation and adaptation efforts, such as climate solutions to advance the just transition or local projects aimed at adapting to the impacts from climate change.
- ✓ Monitoring action on a safe climate using independent sources and information on the ground, including efforts mitigation, adaptation, loss and damage and other climate solutions for human rights impacts. Use this to compare or assess the reported progress claimed by States against actual progress.
- ✓ Monitoring the situation of EHRDs, CSOs and other actors acting to protect a safe climate, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

Resources

- ↳ **Climate Change and Human Rights Analytical Framework:** Tool to monitor human rights impacted by climate change and identify human rights standards essential to consider in climate action.

⁵³ For linking business respect for human rights and climate change see UNDP, 'Practical Tool for Business on Human Rights Due Diligence and the Environment (HRDD+E)' (2024).

⁵⁴ See UNGA, 'The human right to a clean, healthy and sustainable environment' (28 July 2022) UN Doc A/RES/76/300.

2.2 CLEAN AIR

2.2.1

Theme

T



Impacts

According to the World Health Organization (WHO), 99 per cent of the world's population breathe air that exceeds its guideline limits for air pollution, with indoor and outdoor pollution associated with seven million premature deaths annually.⁵⁵ Air pollution also impacts ecosystems and food production.



Other key human rights affected

Rights to life, health, water, food, development, equality and non discrimination, education, as well as the rights of the child and future generations.



Obligations

States have human rights obligations relating to clean air, preventing harms and implementing effective measures, prioritizing the improvement of conditions for the people at heightened risk of marginalization or vulnerability. To fulfill these obligations, States must: (a) monitor air quality and its impact on human health; (b) assess sources of air pollution; (c) make information and public health advisories publicly available; (d) establish air quality legislation, standards, and policies; (e) develop local, national, and regional action plans; (f) implement these plans and enforce standards; and (g) evaluate progress and strengthen plans where necessary to meet these standards.⁵⁶



Linked SDGs

Clean Air is linked to SDG 3 (Good Health and Well-Being) and SDG 7 (Affordable and Clean Energy), as climate-harming fuels cause air pollution.⁵⁷

2.2.2

Rules

R

Please consider the 'rules' related to clean air in your context, including the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **Air Quality Guidelines (WHO)**: Offers quantitative health-based recommendations for air quality management, as well as guidance on reducing levels of air pollutants.
- ↳ **Actions on Air Quality (UNEP)**: Global summary and review of policy actions and programmes of States on preventing and reducing air pollution to improve air quality.
- ↳ **Regulating Air Quality Report (UNEP)**: Global Assessment of Air Pollution Legislation against Air Quality Guidelines.
- ↳ **Guide on Ambient Air Quality Legislation (UNEP)**: Promotes robust national systems of air quality governance that prioritize public health outcomes.

⁵⁵ See WHO Overview information on [air pollution](#).

⁵⁶ See Special Rapporteur on the human right to a clean, healthy and sustainable environment, 'Priority actions towards breathing clean air, protecting public health and ensuring a healthy environment' (2026) UN Doc A/HRC/61/47; Special Rapporteur on human rights and the environment, 'Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment' (2019) UN Doc A/HRC/40/55

⁵⁷ It also indirectly supports SDG 7 zero hunger (as the pollutant ozone decreases crop yields) as well as a number of other SDGs.



- ↳ **Global Air Quality Cooperation Network (UNEP):** A collaborative platform that empowers governments and stakeholders to reduce air pollution by enhancing management capacities, sharing solutions, and improving access to finance.

Guidance for NHRIs



Monitoring national commitments for alignment with the Guidelines, guidance, and other obligations to ensure the progressive realization of the right to a clean, healthy and sustainable environment.

Resources

- ↳ **Report of the Special Rapporteur on R2HE on “priority actions towards breathing clean air, protecting public health and ensuring a healthy environment” (OHCHR):** Highlights the public health crisis of air pollution and outlines State and private sector obligations to implement stronger measures, improve governance, and address the drivers of a fossil-fuel-dependent economy.
- ↳ **Report of the Special Rapporteur on human rights and the environment on Clean Air and the Right to a Healthy and Sustainable Environment (OHCHR):** Reviews obligations in relation to the right to breathe clean air, which are both procedural and substantive, as well as the specific obligation to protect people and groups at heightened risk of marginalization or vulnerability.
- ↳ **Climate and Clean Air Coalition:** Voluntary partnership focused on reducing short-lived climate pollutants (SLCPs) to protect human health, agriculture, and the environment. Brings together governments, intergovernmental organizations, and non-governmental organizations to accelerate action on SLCPs, such as methane, black carbon, and hydrofluorocarbons.
- ↳ **Air Quality Management Exchange Platform (UNEP):** A ‘one-stop shop’ under the Climate and Clean Air Coalition Clean Air Flagship that provides technical tools, data, and guidance to build air quality management capacity and support governments in meeting WHO interim targets.
- ↳ **Plant Health and the Right to Food (FAO):** Explores the connection between clean air, plant health, and the right to food.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

- ↳ **European Convention on Human Rights [1950]:** The ECtHR has affirmed that states have a positive obligation to take all appropriate steps to safeguard individuals’ lives in the context of air pollution.⁵⁸
- ↳ **EU Revised Ambient Air Quality Directive:** Strengthens Air Pollution limits in alignment with the WHO Air Quality Guidelines and provides for compensation for people harmed by air quality.

⁵⁸ *Cannavacciuolo and Others v Italy*, App nos. 51567/14 and 3 others (ECtHR, 27 February 2025).



- ↳ **United Nations Economic Commission for Europe (UNECE) Convention on Long-Range Transboundary Air Pollution [1979]**: Establishes a regional framework to reduce transboundary air pollution extended by eight protocols, seven of which include specific emission reduction commitments for their Parties.
- ↳ **Inter-American Convention on Human Rights [1969]**: The IACtHR has affirmed that states are obliged to use all the means at their disposal to ensure clean air, including regulating, monitoring, and overseeing activities that entail significant risks to the environment.⁵⁹
- ↳ **Regional Action Plan on Air Quality for Latin America and the Caribbean**: A dynamic regional cooperation framework to accelerate comprehensive air quality management, protect health and the environment, and mobilize resources.
- ↳ **ASEAN Agreement on Transboundary Haze Pollution [2002]**: Aims to prevent and monitor transboundary haze pollution as a result of land and/or forest fires.
- ↳ **Asia Pacific Regional Action Programme on Air Pollution (UN Economic and Social Commission for Asia and the Pacific)**: Includes country-specific profiles and national plans.
- ↳ **Malé Declaration on Control and Prevention of Air Pollution and Its Likely Transboundary Effects for South Asia [1998]**: Calls for regional cooperation to address the increasing threat of transboundary air pollution and its possible impacts.
- ↳ **Acid Deposition Monitoring Network in East Asia**: An intergovernmental network that monitors air pollution and shares data to support informed environmental decision-making.
- ↳ **West Asia Air Quality Network**: A coordinated regional platform supporting West Asian countries in improving air quality through joint action, knowledge exchange, and policy alignment.
- ↳ **Africa Integrated Assessment of Air Pollution and Climate Change**: Addresses air pollution by recommending the establishment of a continent-wide Clean Air Plan.
- ↳ **Africa Clean Air Programme**: An initiative that coordinates across all levels of government to tackle super pollutants and improve air quality through built-in partnerships, knowledge-sharing, and collaborations.

Guidance for NHRIs

- ✓ Monitoring actions to implement regional commitments on air pollution to ensure detailed and time-bound plans lead to measurable reductions in pollutants.

Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **Air quality limits:** Set air quality limits in line with the [WHO Air Quality Guidelines](#).
- ↳ **Air pollution regulation:** Provide for continuous improvement of air quality and limit overall population exposure, with obligations on States and other actors to comply with the limits, including transboundary elements of air pollution, and set out consequences for breach of these obligations.
- ↳ **Corporate regulation:** Laws that regulate companies whose activities generate air pollution, and that aim to reduce the impacts of highly polluting sectors, and require human rights and environmental due diligence.
- ↳ **Health:** Laws and policies that provide for monitoring of air quality and health effects, particularly in badly affected regions, and in relation to the provision of information to the public.
- ↳ **People at heightened risk of marginalization or vulnerability:** Laws and policies that address air pollution impacts on the people most affected, such as children, older persons, those with pre-existing health conditions, people in poverty, ethnic minorities, and migrants.
- ↳ **Nature and ecosystems:** Laws, policies, and other measures protecting nature and ecosystems from air pollution. This includes regulation of pesticides to improve air quality, for example, through Integrated Pest Management, which reduces the use of pesticides while improving food-related yields and incomes.

Guidance for NHRIs

- ✓ Monitoring national laws and policies for alignment with human rights obligations of States and responsibilities of business, including against the [WHO Air Quality Guidelines](#).
- ✓ Monitoring laws and policies to ensure they effectively protect groups at a heightened risk of marginalization or vulnerability, such as women and girls, people in poverty, Indigenous Peoples, older persons, children, persons with disabilities, and migrants.
- ✓ Monitoring action plans and strategies to ensure both household and outdoor air pollution are addressed through the most effective reduction measures at the local, national, and regional levels.⁶⁰

⁶⁰ See Special Rapporteur on human rights and the environment, 'Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment' (2019) UN Doc A/HRC/40/55. See also Special Rapporteur on human rights and the environment, 'Clean air and human rights: Executive summary'.

Please consider how the ‘rules’ related to clean air are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.



ENFORCEMENT AND OVERSIGHT ON PAPER

- ↳ **Reporting and assessments:** Assessments and monitoring reports reviewing and evaluating your country’s air quality against its national and international obligations and standards, including the [WHO Air Quality Guidelines](#), as well as human rights impacts noted by the [UPR](#), [Human Rights Treaty Bodies](#), [Special Rapporteur country missions](#), and regional human rights mechanisms.
- ↳ **Nationally collected information:** Collection and dissemination of information on air pollution, including:
 - Air Quality Index and data on air pollutant levels.
 - Sources of air pollution, measures to reduce air pollution, and their impacts on groups at heightened risk of vulnerability.
 - Health impacts of air pollution, including on groups at heightened risk of vulnerability.
 - Reports submitted by relevant industrial actors relating to their emissions of air pollutants.
 - Air pollution modelling data and projections disaggregated by data such as age, gender, income, geography, disabilities, minority, or Indigenous status.
 - Air pollution-related scientific reporting or advice, including Meteorological reports.
 - Severe episodes of air pollution and their consequences.
 - Areas of air pollution that are ‘[sacrifice zones](#)’.



ENFORCEMENT AND OVERSIGHT IN PRACTICE

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise, including in relation to the health impacts of air pollution.
- ↳ **Monitors:** Establishment of air quality monitor stations, particularly in areas of high risk for air pollution.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts and other relevant bodies on air pollution, including air pollution expertise and capacities of such mechanisms.
- ↳ **Enforcement agencies:** Environmental enforcement agencies, prosecutors, police, and others with the competence to enforce standards on air pollution.



ENFORCEMENT AND OVERSIGHT IN PROCESS

- ↳ **Consultations:** Efforts to engage the public and understand the lived experiences of those most affected by air pollution and responses to it.
- ↳ **Air quality monitoring and integrated response:** Processes to systematically monitor air quality data and action to ensure an integrated response across government, and in turn support cohesive action across sectors, including health, education, transport, industry, as well as among business, civil society, and other actors.
- ↳ **Community and private monitoring:** Community, academic, and corporate efforts to monitor air quality.
- ↳ **Exchanges on transboundary elements:** Processes that foster dialogue and exchange with other States, municipalities, or jurisdictions, on air pollution.

Guidance for NHRIs

- ✓ Monitoring consultation processes in relation to combating air pollution to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
- ✓ Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches to combating air pollution, including Indigenous approaches.
- ✓ Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to air quality.

2.2.4

Environmental Harms and Impacts

Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts from air pollution, including:

- ↳ **International and regional:** International and regional sources that provide an overall picture of the state of air pollution in your country.
- ↳ **National:** National sources that give you a picture of how air pollution impacts are being experienced and responded to on the ground, for example, through independent research institutes, academics, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks.

Sources below provide information on air pollution and its impacts.

LEVEL INTERNATIONAL



- ↳ **Air Quality Standards Database (WHO):** Country progress in achieving the [Air Quality Guidelines](#), including the possibility to search an [interactive map](#) for air quality information by country.
- ↳ **Air Quality in Your City:** City air pollution data search based on the BreatheLife platform, a network of 79 cities, regions, and countries, with support from WHO.
- ↳ **Global Environmental Monitoring System for Air (UNEP):** Supports countries to provide quality-assured data on air quality.
- ↳ **EDGAR Food Database:** Maps air pollution and GHG emissions from food systems
- ↳ **Pollution Action Note (UNEP):** Global state of air pollution, sources, impact on human health, and national responses.
- ↳ **State of Global Air Report:** Analysis of data for air quality and health impacts for countries around the world. The [Database](#) enables search by pollutant, country, and region.

Guidance for NHRIs

- ✓ Monitoring air pollution by enabling a search for real-time air pollution exposure by country.
- ✓ Monitoring any reports on transboundary air pollution or information exchange with other countries pursuant to international treaties.

LEVEL NATIONAL



- ↳ **Availability of timely and accessible information:** air quality data must be updated, comprehensive, reliable, disaggregated, open, user-friendly and real-time.
- ↳ **Emission inventories:** Reliable inventories of air pollutant emissions covering both location and pollutant type.
- ↳ **Air quality monitoring:** Air quality and levels of pollution from air quality monitoring stations, as well as sources of pollution, including industrial activities, food systems, forest fires, transport, and wood-burning stoves.
- ↳ **Public health:** Health impacts of air pollution, such as hospital admissions following severe incidents, the long-term health impacts of air pollution, and levels of air pollution-related illnesses, with a focus on groups at heightened risk of marginalization or vulnerability, including child mortality rates due to respiratory illnesses.
- ↳ **Food:** Impacts of air pollution on food production and quality, and on foodborne diseases
- ↳ **Ecosystem:** Impacts of air pollution on ecosystems, including plant health.
- ↳ **Industry:** Industrial and other activities that are causing air pollution, including information on penalties and sanctions for breach of laws regulating air pollution.



- ↳ **Socio-economic:** Socio-economic indicators, including variations in neighborhoods, educational and economic impacts through school and business closures as a result of air pollution incidents.
- ↳ **EHRDs:** EHRDs advocating for clean air face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **Effectiveness of mitigation measures:** Information on the success of measures taken to reduce air pollution, particularly in relation to groups at heightened risk of marginalization or vulnerability.
- ↳ **Case law:** Case law on air pollution or quality and the implementation or enforcement of related decisions or measures.

Guidance for NHRIs

- ✓ Monitoring action on clean air using independent sources and information on the ground, including inaction on combatting air pollution. Use this to compare or assess the reported progress claimed by the government against actual progress.
- ✓ Monitoring the impacts of air quality on those at heightened risk of marginalization and vulnerability, including women and girls, smallholder farmers, Indigenous Peoples, children, older persons, and persons with disabilities.
- ✓ Monitoring the situation of EHRDs advocating for clean air, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

2.3 HEALTHY ECOSYSTEMS AND BIODIVERSITY

2.3.1

Theme

T



Impacts

Rapid decline in healthy ecosystems and biodiversity caused by extensive human changes to the planet, such as deforestation, exploitation of other species, climate change, pollution, and other activities rooted in unsustainable patterns of consumption and production, with seven of the nine planetary boundaries reported to be exceeded by now.⁶¹



Other key human rights affected

Rights to life, food, water and sanitation, health, culture, development, equality and non discrimination as well as the rights of Indigenous Peoples, minorities, peasants and other rural communities, children, and future generations.



Obligations

States have obligations to refrain from acts that foreseeably contribute to or cause significant harm to biodiversity and act to protect biodiversity and ecosystems, taking HRBA to all aspects of conserving, protecting, restoring, using and benefitting from healthy ecosystems and biodiversity.⁶²



Linked SDGs

Healthy Ecosystems and Biodiversity is linked to SDG 15 (Life on Land) and SDG 14 (Life Below Water) for marine life, and SDG 3 (Good Health and Well-Being).⁶³ According to the latest Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Global Assessment report on Biodiversity and Ecosystem Services, harm to healthy ecosystems and biodiversity will undermine progress in 80 per cent of assessed SDG targets.⁶⁴

2.3.2

Rules

R

Please consider the 'rules' related to healthy ecosystems and biodiversity in your context, including the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

↳ **Convention on Biological Diversity (CBD) [1992]:** Establishes three main goals, which are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits from the use of genetic resources.⁶⁵

61 Caesar, L., Sakschewski, B., Rockström, J., et al. *Planetary Health Check 2025: A Scientific Assessment of the State of the Planet*. Potsdam Institute for Climate Impact Research (2025).

62 OHCHR, 'Global analytical study on the implementation of a human rights-based approach into the goals and targets of the Kunming-Montreal Global Biodiversity Framework' (2026) UN Doc A/HRC/61/36. See also Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, 'Human rights depend on a healthy biosphere' (2020) UN Doc A/75/161. It has identified actions needed by states to uphold obligations with respect human rights and biodiversity as including: (a) monitoring and reporting on the state of biodiversity and threats to biodiversity; (b) adopting and implementing national biodiversity plans; (c) mainstreaming biodiversity into other policy areas (for example, health and finance); (d) creating protected areas and establishing other effective conservation measures; (e) establishing rules to ensure the sustainable use of biodiversity; (f) enacting legislation to protect threatened species; (g) restoring degraded ecosystems; (h) preventing the spread of invasive species; and (i) providing incentives for conservation and sustainable use.

63 See further, SDG Resource Centre, 'Biodiversity and ecosystems'.

64 See Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, *Global Assessment Report on Biodiversity and Ecosystem Services* (2019) p XIX Key Messages C2.

65 See [here](#) for status of ratification by states and regions.



- ↳ **Kunming-Montreal Global Biodiversity Framework (KMGBF) [2022]**: Global strategy for 2030 to protect and restore nature, ensure sustainable use, and fairly share benefits from biodiversity.
- ↳ **Nagoya Protocol to the CBD [2010]**: Legal framework for the equitable sharing of benefits from use of genetic resources.
- ↳ **UN Convention on the Law of the Sea (UNCLOS) [1982]**: Legal framework for the use of oceans and the management of their resources.
- ↳ **Agreement under the UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement) [2023]**: Addresses marine genetic resources and measures, such as area-based management tools, environmental impact assessments (EIAs), and capacity-building and the transfer of marine technology.
- ↳ **UN Convention to Combat Desertification (UNCCD) [1994]**: Legally binding framework to address desertification and the effects of drought, establishing a multilateral commitment to mitigating the impact of land degradation and protecting the land, ensuring water, shelter, and economic opportunity are provided to all.
- ↳ **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) [1973]**: Aims to regulate trade in animal and plant species, in order to safeguard against overexploitation.
- ↳ **Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR) [1971]**: Legal framework for the conservation and use of wetlands and their resources.
- ↳ **Convention on the Conservation of Migratory Species of Wild Animals (CMS, or Bonn Convention) [1979]**: Legal framework for internationally coordinated conservation and sustainable use measures for migratory animals and their habitats
- ↳ **Agreement on Fisheries and Subsidies (WTO) [2022]**: Prohibits harmful fisheries subsidies to reduce overfishing and promote the sustainability of the ocean.
- ↳ **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**: Recognizes the profound relationship Indigenous peoples have with their environment. For example, Article 26 protects their right to the lands, territories, and resources they have traditionally owned, occupied, or used, which is critical for ecosystem conservation.
- ↳ **UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)**: Highlights the dependency of rural workers on nature. For instance, Article 5 guarantees their right to access and use, in a sustainable manner, the natural resources present in their communities.
- ↳ **Committee on Economic, Social and Cultural Rights General Comment No. 27 on Economic, Social and Cultural Rights and the Environmental Dimension of Sustainable Development (CESCR)**: Emphasizes that biodiversity loss severely threatens the enjoyment of economic, social, and cultural rights, and outlines States' obligations to protect ecosystems to safeguard specific rights, including the rights to adequate food, education, cultural life, and an adequate standard of living.
- ↳ **Nature-related Litigation**: Emerging trends and lessons learned from nature-related litigation.



Guidance for NHRIs

- ✓ Monitoring the State's international legal obligations to ensure effective protection, restoration, and sustainable use of biodiversity. This can be observed through national biodiversity commitments, positions taken at the negotiations, and other contributions to the CBD processes.
- ✓ Monitoring international and regional trends in nature-related litigation against national-level legal actions to ensure national legal actions remain progressive and informed by global precedents.

Resources

- ↳ **Global Analytical Study on the Implementation of a Human Rights-Based Approach into the Goals and Targets of the KMGBF (OHCHR)**: Provides recommendations for integrating HRBA into the implementation of the KMGBF's targets.
- ↳ **Applying a Human Rights-Based Approach in line with Section C of the Kunming-Montreal Biodiversity Framework: a briefing note (OHCHR, CBD)**: Highlights how Section C of the KMGBF serves as a key tool for integrating human rights into its implementation.
- ↳ **Integrating Human Rights in National Biodiversity Strategies and Action Plans (OHCHR)**: Analyzes the current incorporation of human rights into national biodiversity policies and provides actionable recommendations for advancing rights-based biodiversity action.
- ↳ **Reports of the Special Rapporteur on the R2HE regarding human rights and biodiversity-related matters (OHCHR)**: Most recently on Ocean and Human Rights.⁶⁶
- ↳ **Report of the Special Rapporteur in the field of Cultural Rights on "Nature Conservation and Cultural Rights" (OHCHR)**: Urges states to apply a cultural rights-based approach, favouring special measures, wide consultation and participation, human rights impact assessments, and judicial guarantees for cultural rights in nature conservation.
- ↳ **Core Human Rights Principles for Private Conservation Organizations and Funders (UNEP)**: Establishes ten guiding principles for private actors and other stakeholders to adopt HRBA, fostering more inclusive and equitable practices that protect and promote the rights of Indigenous Peoples and others in conservation.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

- ↳ **Landscape Partnership Asia**: Platform for performance-based investments in the restoration of Asian drylands and drought-prone areas.
- ↳ **African Forest Landscape Restoration Initiative (AFR100)**: Country-led effort to restore 100 million hectares of deforested and degraded landscapes across Africa by 2030.

66 See Special Rapporteur on the human right to a clean, healthy and sustainable environment, 'The ocean and human rights' (2024) UN Doc A/HRC/58/59.



- ↳ **Initiative 20x20:** Effort led by 17 countries seeking to change the dynamics of land degradation in Latin America and the Caribbean by protecting 50 million hectares of forests, farms, pastures, and other landscapes by 2030.
- ↳ **Regional Biodiversity Strategies and Action Plans (RBAPs):** Produced under the CBD.
- ↳ **ASEAN Biodiversity Plan:** Seeks to enhance coordination among the ASEAN Member States in conserving, sustainably managing, and using biodiversity.
- ↳ **European Union Biodiversity Strategy for 2030:** Aims to build resilience to future threats such as the impacts of climate change, forest fires, and disease outbreaks. Also includes the Nature Restoration Regulation setting binding targets for the restoration of ecosystems.
- ↳ **Regional Strategy and Action Plan for Forest and Landscape Restoration in Asia-Pacific:** Produced under the CBD and serves as frameworks for coordinating regional cooperation to conserve, sustainably manage, and use biodiversity across member states.

Guidance for NHRIs

- ✓ Monitoring actions to implement regional commitments on human rights and biodiversity against detailed and time-bound plans.

LEVEL NATIONAL



Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **National Biodiversity Strategies and Action Plans (NBSAPs):** Prepared in accordance with the provisions of the [CBD](#) and KMGBF. Set out specific domestic targets and cross-sectoral strategies to halt biodiversity loss, restore ecosystems, and ensure sustainable use.

Guidance for NHRIs

- ✓ Monitoring NBSAPs and other biodiversity commitments to ensure they meet international biodiversity targets.
- ✓ Monitoring human rights integration in NBSAPs using the [Guide on Integrating Human Rights in NBSAPs](#).



- ↳ **Protection of natural assets:** Laws and policies recognizing and implementing targets to protect biodiversity, including forest cover, marine areas, wetlands, and protected areas.
- ↳ **Rights of nature:** Laws and policies that recognize the diverse values of nature, including the inherent value of all elements of ecosystems and the rights of Mother Earth.
- ↳ **Wild species:** Laws and policies that promote an ecologically, economically, and socially sustainable approach to wild species, including laws that ban illegal wildlife trade and protect threatened species.
- ↳ **Economic development strategies:** Laws and policies that plan economic development while protecting ecosystems and biodiversity.
- ↳ **Mining, energy, and infrastructure:** Laws and policies addressing threats such as mining, infrastructure development, and the development of the energy sector.
- ↳ **Corporate regulation:** Laws and policies holding businesses to account for activities that harm ecosystems and biodiversity, including mandatory human rights and environmental due diligence for businesses.⁶⁷
- ↳ **Indigenous Peoples' rights:** Laws and policies upholding Indigenous Peoples rights to land, territory and resources, including Indigenous Peoples' knowledge, culture, and practices.
- ↳ **Land rights:** Laws and policies protecting land rights and access to biodiversity, including those of groups and communities heavily reliant on nature for their rights to life, food, health, livelihood, and culture, among others.
- ↳ **Right to health:** laws and policies systematically implementing a "One Health" approach, an integrated strategy for the complex interconnections between humans, animals and ecosystems.
- ↳ **Environmental and social safeguards and assessments:** Laws and policies mandating human rights safeguards and assessments, particularly those that connect the possible impacts on ecosystems, biodiversity, and human rights.
- ↳ **Degraded ecosystems:** Laws and policies restoring degraded ecosystems, land restoration, such as coral reefs and mangrove forests.

⁶⁷ See David R. Boyd (Special Rapporteur on human rights and the environment) and Stephanie Keene, 'Prioritizing Profits over People and Planet: The Devastating Impacts of Large Businesses on the Right to a Clean, Healthy and Sustainable Environment' (2024). See also Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, 'Expert seminar on the responsibility of business enterprises to respect the human right to a clean, healthy and sustainable environment' (2024).



Guidance for NHRIs

- ✓ Monitoring laws and policies for alignment with human rights obligations of States and responsibilities of business⁶⁸ in the context of ecosystems and biodiversity protection, including impacts on the most affected, such as Indigenous Peoples, People of African Descent, peasants and other rural communities, and small-scale fishers.⁶⁹
- ✓ Monitoring any regression or weakening of environmental protections to ensure that economic investments do not come at the expense of biodiversity and human rights.
- ✓ Monitoring laws and policies that promote and prioritize nature restoration to ensure the advancement of interconnected R2HE elements like safe climate and healthy and sustainable food.
- ✓ Monitoring progress of biodiversity-friendly practices, such as sustainable intensification,⁷⁰ agroecological, and other innovative approaches.
- ✓ Monitoring the human rights impacts of conservation measures, particularly to identify and prevent the adverse effects of exclusionary and militarized conservation practices on affected communities.

2.3.3

Enforcement and Oversight →



Please consider how the ‘rules’ related to healthy ecosystems and biodiversity are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.



ENFORCEMENT AND OVERSIGHT ON PAPER

PAPER

↳ **Reporting and assessments:** Assessments and monitoring reports reviewing your country’s ecosystem and biodiversity laws, policies, and practices against its national and international obligations, including the CBD and the KMGBF, as well as human rights impacts noted by the UPR, Human Rights Treaty Bodies, Special Rapporteur country missions, and regional human rights mechanisms.

68 For linking corporate human rights due diligence with biodiversity and nature protection, see UNDP, ‘Practical Tool for Business on Human Rights Due Diligence and the Environment (HRDD+E)’ (2024).

69 See Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, ‘Human rights depend on a healthy biosphere’ (2020) UN Doc A/75/161.

70 Sustainable intensification means an increase in productivity based on the sustainable management of ecosystem services and functions in line with target 10 of the KMGBF, see further, Kunming-Montreal Global Biodiversity Framework, ‘Target 10 Enhance Biodiversity and Sustainability in Agriculture, Aquaculture, Fisheries, and Forestry’.

PAPER

**ENFORCEMENT AND OVERSIGHT ON PAPER**

- ↳ **Nationally collected information:** Collection and dissemination of information on ecosystems and biodiversity, including:
 - Status of protected areas and the human rights situation of communities living within those areas.
 - Plans and impact assessments for creation of new protected areas, including marine protected areas
 - Sites of high biodiversity and important ecosystems.
 - Populations and status of protected species.
 - Level and drivers of ecologically destructive practices such as deforestation and extractives.
 - Economic, social, environmental and cultural impacts of loss of biodiversity in livelihoods.
 - Scientific reporting or advice on ecosystems and biodiversity.

**ENFORCEMENT AND OVERSIGHT IN PRACTICE**

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise in ecosystems and biodiversity protection.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts and other relevant bodies on ecosystem and biodiversity protection, including capacities and expertise of such bodies.
- ↳ **Enforcement agencies:** Environmental enforcement agencies, prosecutors, police, and other actors with responsibility for detecting, investigating, and enforcing ecosystem and biodiversity protection.

**ENFORCEMENT AND OVERSIGHT IN PROCESS**

- ↳ **Consultations:** Processes to engage the public and particularly those most affected, on ecosystem health, biodiversity loss, and responses to it.⁷¹
- ↳ **Monitoring and integrated response:** Processes to systematically monitor biodiversity action, including through surveys and spot checks of particular sites, and efforts to integrate response across government for cohesive action across sectors, including spatial planning, industry, transport, agriculture, and forestry, as well as among businesses, civil society, and other actors.

PROCESS

Guidance for NHRIs

- ✓ Monitoring consultation processes in relation to ecosystem and biodiversity to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
- ✓ Monitoring and reporting on the condition and legal protection of critical ecosystems to ensure the highest level of legal protection is afforded to biodiversity hotspots.⁷²
- ✓ Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches to preserving healthy ecosystem and biodiversity, including Indigenous approaches.
- ✓ Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to biodiversity and ecosystems.

2.3.4

Environmental Harms and Impacts



Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts related to ecosystems and biodiversity, including:

- ↳ **International and regional:** International and regional sources that provide an overall picture of the state of ecosystems and biodiversity in your country.
- ↳ **National:** National sources that give you a picture of how ecosystem and biodiversity impacts are being experienced and responded to on the ground, for example, through independent research institutes, academics, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks.

Sources below provide information for monitoring healthy ecosystems and biodiversity:

LEVEL INTERNATIONAL



- ↳ **UN Biodiversity Lab (UNDP, UNEP, CBD Secretariat):** Provides country-level datasets on land cover, protected areas, loss of tree cover, fires, carbon density, and vegetation.
- ↳ **IPBES latest assessment report on biodiversity and ecosystems:** Assesses the status of biodiversity and ecosystems, effectiveness of responses, and long-term trends.

72 Biodiversity hotspots are areas of rich biodiversity under high threat. See for example, Conservation International, 'Biodiversity Hotspots'.



- ↳ **World Conservation Monitoring Centre (WCMC) Ocean+ Habitats (UNEP):** Enables search by country of coastal habitats, such as corals, salt marshes, and mangroves, the proportion of habitats with protected status, and different species, including endangered species within that habitat.
- ↳ **Global Forest Watch:** Near real-time information about where and how forests are changing around the world. Enables a search by country or region on the topics of land cover, forest change, land use, fires, and climate.
- ↳ **WCMC Protected Planet (UNEP, International Union for Conservation of Nature, WCMC):** Enables a search of protected areas by area, country, or region, covering both land-based and marine areas.
- ↳ **Biodiversity Intactness Index:** Country, region, and global-level summaries for the year 1970 to 2050 under various scenarios.
- ↳ **Biodiversity Intactness Map (Resource Watch):** Color-coded map of biodiversity intactness across the world developed in 2016 to represent the global situation as of 2005.
- ↳ **Global Wetland Outlook 2025:** Most current evaluation of the condition, trends, and policy responses related to Wetlands.

Guidance for NHRIs

- ✓ Monitoring important elements of biodiversity action using independent data to ensure that the government's reported national efforts accurately reflect the reality on the ground.

LEVEL REGIONAL

- ↳ **IPBES regional biodiversity and ecosystem assessments:** Provides assessments on biodiversity and ecosystems for Africa, the Americas, Asia-Pacific, Central Asia, and Europe.

LEVEL NATIONAL

- ↳ **Protected areas and ecosystems:** Levels and quality of protected areas and ecosystems, such as forests, status of protected species.
- ↳ **Environmental degradation:** Percentage of national area affected by environmental degradation, including deforestation, desertification, and soil erosion.
- ↳ **Indigenous Peoples:** Human rights legal protections and situation of Indigenous Peoples, including respect for their Free, Prior and Informed Consent (FPIC) and rights to land, territories and resources⁷³

⁷³ See further, UNHRC, 'Efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: the rights of Indigenous Peoples to their traditional economies' (2025) UN Doc A/HRC/EMRIP/2025/3.



- ↳ **People of African Descent, peasants and other rural communities, including coastal communities and small-scale fishers:** Impacts of biodiversity loss and certain conservation measures (e.g. exclusionary or militarized models), in view of their dependency on nature for their way of life.
- ↳ **Extractive industries and infrastructure:** Mining, energy, infrastructure, industrial agriculture and fisheries, or other activities having impacts on healthy ecosystems and biodiversity, and the human rights of people in protected or biodiverse areas.
- ↳ **EHRDs:** EHRDs advocating for healthy ecosystems and biodiversity face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **Offsetting projects:** Environmental and social safeguards related to biodiversity offsetting projects.
- ↳ **Culture and health:** Impacts of loss of biodiversity and ecosystems on culture and health.
- ↳ **Case law:** Case law on nature, biodiversity and ecosystems, and the implementation or enforcement of related decisions or measures.

Guidance for NHRIs

- ✓ Monitoring the most relevant impacts on ecosystems and biodiversity using independent sources and information on the ground. Use this to compare or assess the reported progress claimed by the government against actual progress.
- ✓ Monitoring the ecosystems and biodiversity impacts on those at heightened risk of marginalization and vulnerability, including women and girls, Indigenous Peoples, smallholder farmers, children, older persons, and persons with disabilities.
- ✓ Monitoring the situation of EHRDs advocating for clean air, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

2.4 SAFE WATER AND ADEQUATE SANITATION

2.4.1

Theme

T



Impacts

Water is misused, over-extracted, and contaminated, as well as being disrupted by climate change. Globally, billions of people do not have access to safely managed water and sanitation.



Other key human rights affected

Rights to life, health, food, water, development, equality and non-discrimination, education. Housing, cultural rights, Indigenous Peoples' rights, as well as the rights of the child and future generations.⁷⁴



Obligations

The human rights to water and sanitation and the related elements of the R2HE to safe water and adequate sanitation are complementary, as they both focus on the quality and quantity of water, with additional emphasis on all aspects of allocating, using, conserving, protecting and restoring water, including the health of aquatic ecosystems, under the R2HE.⁷⁵



Linked SDGs

Safe and sufficient water is linked to SDG 6 (Clean Water and Sanitation) and SDG 14 (Life Below Water), including ocean governance.

2.4.2

Rules

R

Please consider the 'rules' related to safe and sufficient water in your context, including the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) [1992]:** Global legal framework agreement and intergovernmental platform for cooperation on transboundary waters. Requires Parties to prevent, control, and reduce transboundary impact, use transboundary waters reasonably and equitably, and ensure their sustainable management.

⁷⁴ International instruments guarantee equal access to safe water, sanitation, and sustainable water management, with specific protections for rural women (CEDAW Art. 14.2), children (CRC Art. 24), persons with disabilities (CRPD Art. 28), Indigenous Peoples (UNDRIP Arts. 23, 25), and peasants (UNDROP Art. 17).

⁷⁵ See further, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, 'Human rights and the global water crisis: water pollution, water scarcity and water-related disasters' (2021) UN Doc A/HRC/46/28. The right to water entitles everyone to have access to sufficient, safe, acceptable, physically accessible, and affordable water for personal and domestic use. The right to sanitation entitles everyone to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, and socially and culturally acceptable and that provides privacy and ensures dignity. Those rights are internationally recognized human rights, derived from the right to an adequate standard of living under Article 11(1) of the ICESCR. In its General Comment No. 15 on the right to water, the CESCR identified substantive obligations related to preventing water pollution and scarcity. The Committee wrote that States must take steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions, ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes and monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases. The Committee also wrote that States must refrain from unlawfully diminishing or polluting water and must adopt necessary and effective legislative and other measures to restrain third parties from polluting and inequitably extracting water.



- ↳ **Convention on the Law of the Non-Navigational Uses of International Watercourses [1997]**: Global legal mechanism for facilitating the equitable and sustainable management of transboundary rivers and lakes and connected groundwater.
- ↳ **International Water Law (IWRM Action Hub)**: Introduces legal frameworks on transboundary waters, the main governing principles of International Water Law, and highlights mechanisms for facilitating cooperation and dispute settlement. Hosted by the [Global Water Partnership](#).
- ↳ **International Freshwater Treaties Database**: Searchable database of more than 800 international, freshwater-related agreements.
- ↳ **United Nations Convention on the Law of the Sea**: Framework for all marine and maritime activities, setting out the rights and obligations of States regarding maritime spaces, including navigational rights, maritime zones, resource management, and environmental protection. Note that the International Tribunal for the Law of the Sea (ITLOS) has issued an Advisory Opinion finding that GHG emissions into the marine environment fall under the definition of pollution under UNCLOS. The Advisory Opinion also found that the obligations to protect the marine environment under UNCLOS apply independently of obligations under the Paris Agreement.
- ↳ **United Nations Convention to Combat Desertification [1994]**: Framework to address desertification and the effects of drought. Establishes a multilateral commitment to mitigating the impact of land degradation and protecting the land, ensuring water, shelter, and economic opportunity are provided to all.
- ↳ **General Comment No. 15: The Right to Water (CESCR)**: Establishes the human right to water as a prerequisite for other human rights, outlining States' obligations.⁷⁶

Guidance for NHRIs

- ✓ Monitoring international obligations of States to ensure that there is sufficient and safe water for present and future generations, including transboundary waters and equitable resource sharing.⁷⁷
- ✓ Monitoring international obligations and commitments with respect to ocean governance, with a particular focus on pollution and conservation.⁷⁸

⁷⁶ See 2.4.1 Theme of this Tool.

⁷⁷ See further, CESCR, 'General Comment No. 15: The Right to Water' (2003) UN Doc E/C.12/2002/11 para 28.

⁷⁸ For summaries of instruments, see World Bank, *Ocean Governance Summaries*.



- ↳ **Guidelines for Drinking Water Quality (WHO):** International norms on water quality and human health used as the basis for regulation and standard setting worldwide.
- ↳ **Guidelines on Sanitation and Health (WHO):** Guidance for international, national and local sanitation policies and programme actions.

Guidance for NHRIs

- ✓ Monitoring international guidelines and norms to ensure public health is safeguarded through adequate water quality and sanitation norms.

Resources

- ↳ **Reports of the UN Special Rapporteur on the Right to Water and Sanitation:** Human rights obligations related to access to safe drinking water and sanitation.
- ↳ **Report of the Special Rapporteur on the R2HE on “Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity and Water-Related Disasters”:** Outlines the corresponding State obligations and good practices to ensure safe and sufficient water for all.
- ↳ **The Right to Water for Food and Agriculture (FAO):** Explores the content of the right to water for food and agriculture and considers the implications for water law.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

- ↳ **Regional Seas Conventions and UNEP Regional Seas Programme:** Administers six Regional Seas Conventions and Action Plans.
- ↳ **Regional River Basin Management plans or Water Resources Groups, Transboundary Water Agreements, Joint Water Bodies:** For example, the [Mekong River Commission](#).
- ↳ **Protocol on Water and Health [1999]:** Pan-European agreement linking sustainable water management and the prevention, control, and reduction of water-related diseases. Its Equitable Access Score-card 2.0 is a practical tool to operationalize the human rights to water and sanitation.
- ↳ **European Convention on Human Rights [1950]:** ECtHR has ruled that water pollution can violate several human rights, including the right “to the enjoyment of a healthy and protected environment.”⁷⁹
- ↳ **European Water Resilience Strategy:** Aims to restore and protect the water cycle from source to sea, and to prevent water pollution and tackle pollutants in drinking water.
- ↳ **Inter-American Convention on Human Rights [1969]:** The IACtHR has specified states’ obligations regarding water in its case law.⁸⁰

79 *Tătar v Romania* App no. 67021/01 (ECtHR, 27 January 2009).

80 *IACtHR Climate Advisory Opinion*, B2.2(v) Water and Food.



- ↳ **African Charter on Human and Peoples' Rights and its Maputo Protocol [2003]:** Art. 15 of the Maputo Protocol specifically addresses access to clean drinking water for women. African Commission on Human and Peoples' Rights has stated in a case involving water contamination by the oil industry that the R2HE requires states to take reasonable and other measures to prevent pollution and ecological degradation.⁸¹
- ↳ **Guidelines on the Right to Water in Africa:** Strategy to address all water-related rights, highlighting how the realization of the right to sanitation and the R2HE is a prerequisite to the realization of the right to water.
- ↳ **ASEAN Declaration on the Right to a Safe, Clean, Healthy and Sustainable Environment [2025]:** Includes the right to an adequate standard of living, encompassing the right to clean water and adequate sanitation.

Guidance for NHRIs

- ✓ Monitoring regional obligations to ensure alignment at the national level to secure safe and sufficient water for all.

LEVEL NATIONAL



Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **Water:** Laws that set standards for water quality, including rivers, lakes, and groundwater, and include penalties for breach of those standards.⁸²
- ↳ **Corporate regulation:** Laws and policies that regulate companies and other bodies that make discharges into rivers and other water systems, or energy projects geared around such systems, for example, through licensing and permitting processes.⁸³
- ↳ **Cost and supply:** Laws and policies that regulate the cost of supply of water and sanitation.
- ↳ **Water waste management:** Laws and policies governing water waste management systems.
- ↳ **Health:** Laws and policies that provide for monitoring of water quality and health effects, particularly in regions with high levels of water pollution and health impacts from such pollution, and in relation to the provision of information to the public.
- ↳ **People at heightened risk of marginalization or vulnerability:** Laws and policies that address water pollution impacts on groups in vulnerable situations, such as people in poverty, Indigenous Peoples, women and girls, persons with disabilities, peasants and other rural workers, and migrants.
- ↳ **Ecosystems:** Laws, policies, and other measures protecting important ecosystems from water pollution.

81 *Social and Economic Rights Action Centre v. Nigeria* Communication No. 155/96 (African Commission on Human and Peoples' Rights, October 2001).

82 ISO standards may be relevant: ISO, '[ISO and Water](#)' (2017).

83 See for example, ISO, '[ISO and Water](#)' (2017).



- ↳ **Spiritual and cultural connections:** Laws and policies protecting cultural and spiritual relationships with water, for example, through the protection of sacred water sites such as lakes and rivers.
- ↳ **National water strategies and plans of action:** Policies, plans, and strategies that guide implementation of water laws and regulations.

Guidance for NHRIs

- ✓ Monitoring national laws for alignment with the WHO Guidelines for Drinking Water Quality to promote incorporation.
- ✓ Monitoring action plans and strategies that assess freshwater pollution and identify the most important and effective measures to reduce such pollution at the local, national, and regional levels.⁸⁴
- ✓ Monitoring laws and policies for alignment with human rights obligations of States and responsibilities of business with respect to providing safe and sufficient water. This includes laws and policies addressing the most affected groups, such as women and girls, people in poverty, smallholder farmers, Indigenous Peoples, older persons, children, persons with disabilities, and migrants.⁸⁵
- ✓ Monitoring laws and policies on water pollution and food production in relation to their impacts on human health to ensure the prevention of foodborne diseases originating from unsafe water.

84 See Special Rapporteur on the human right to a clean, healthy and sustainable environment, 'The ocean and human rights' (2024) UN Doc A/HRC/58/59.

85 See Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, 'Human rights and the global water crisis: water pollution, water scarcity and water-related disasters' (2021) UN Doc A/HRC/46/28. See also reports of the Special Rapporteur on the human rights to safe drinking water and sanitation, and relevant international standards. See also CESCR, 'General Comment No. 15: The Right to Water' (2003) UN Doc E/C.12/2002/11. See OHCHR Regional Office for Europe, 'The state of water and human rights in the EU27: a human rights-based approach to water resilience' (2025). See also briefing from OHCHR on human rights standards related to ocean governance for the EU, 'Ocean and human rights in the European Union' (2025).

Please consider how the ‘rules’ related to safe and sufficient water are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.



ENFORCEMENT AND OVERSIGHT ON PAPER

- ↳ **Reporting and assessments:** Assessments and monitoring reports reviewing and evaluating your country’s water quality laws, policies, and practices against national and international obligations and standards, including the [WHO Guidelines for Drinking Water Quality](#), as well as human rights impacts noted by the [UPR](#), [Human Rights Treaty Bodies](#), [Special Rapporteur country missions](#), and regional human rights mechanisms.
- ↳ **Nationally collected information:** Collection and dissemination of information on safe and sufficient water, including:
 - Coverage of irrigated agricultural land.
 - Water quality, supplies, and users.
 - Sources of water pollution.
 - Measures to reduce water pollution.
 - Health impacts of water pollution, including on groups at heightened risk of vulnerability.
 - Impacts of water pollution on ecosystem health.
 - Outcomes of surveys, consultations, or other assessments in engaging the public on the impacts of water pollution.
 - Fair access to safe water and adequate sanitation.
 - Reports submitted by relevant industrial actors relating to emissions into water.
 - Water pollution-related scientific reporting.
 - Severe episodes of water pollution and their consequences.



ENFORCEMENT AND OVERSIGHT IN PRACTICE

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise in water pollution.
- ↳ **Monitors:** Establishing water quality monitors and stations, in particular in areas of high risk for water pollution.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts and other relevant bodies on water pollution, including dedicated water pollution expertise and capacities, and specialized water tribunals.

PRACTICE

- ↳ **Enforcement agencies:** Water quality or pollution enforcement agencies, prosecutors, police, and others with responsibility for enforcement of water standards.



ENFORCEMENT AND OVERSIGHT IN PROCESS

PROCESS

- ↳ **Consultations:** Efforts to engage the public and collect lived experiences of people, particularly those most affected by water insecurity, water pollution and responses to it.
- ↳ **Water quality monitoring and integrated response:** Processes to systematically monitor water quality action and efforts to integrate actions across government.
- ↳ **Community and private monitoring:** Supporting community, academic, and commercial efforts to monitor water quality.
- ↳ **Exchanges on transboundary elements:** Processes that foster dialogue and exchange with other states, municipalities, or jurisdictions on water pollution.

Guidance for NHRIs

- ✓ Monitoring consultation processes in relation to water and sanitation to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
- ✓ Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches for advancing safe water and adequate sanitation, including Indigenous approaches.
- ✓ Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to water pollution.

Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts related to safe and sufficient water, including:

- ↳ **International and regional:** International and regional reports, which can provide information on water quality and availability in your country.
- ↳ **National:** National sources that give you a picture of how water quality and availability impacts are being experienced and responded to on the ground, for example, through independent research institutes, academics, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks

Sources below provide information on monitoring safe and sufficient water:

LEVEL INTERNATIONAL

- ↳ **Global Freshwater Quality Database (UNEP):** Tools, including a [data portal](#) where you can access water quality data at the country, river station, and catchment level, with guidance on how to use the tool. It also includes [water quality indicators](#) for the core parameters of dissolved oxygen, nitrogen, phosphorus, and pH levels set out in SDG 6.3.2.
- ↳ **World Bank Water Data:** Data sets, including a [Global Water Monitor](#) using information measured by satellites and on the ground, as well as maps, tools, and resources on [Global Drought Conditions](#) around the world.

LEVEL REGIONAL

- ↳ **WISE Freshwater:** Information on Europe's Water Bodies, pressures on them and measures being taken in response.
- ↳ **The Water and Sanitation Observatory for Latin America and the Caribbean (World Bank):** Dataset with water quality information for certain countries in Latin America and the Caribbean.

LEVEL NATIONAL

- ↳ **Water quality:** Data on water quality, levels of pollution, biomonitoring data, waste, chemicals, and other potentially harmful substances. This includes information on the environmental condition of water sources, such as groundwater, aquifers, and rivers.
- ↳ **Water impacts:** Monitoring water quality and its impacts, particularly among groups at heightened risk of marginalization or vulnerability, including people in poverty, Indigenous Peoples, peasants and other rural workers, women and girls, persons with disabilities, migrants, and people whose water is contaminated by mining or other industrial activities.
- ↳ **Commercial activities:** Activities causing water pollution, including any penalties or sanctions on polluting companies, dams, and hydropower projects, may also impact access to water and have attendant human rights impacts, such as displacement.



- ↳ **Water impacts on health:** Percentage of population affected by disease or death resulting from lack of safe water and adequate sanitation.
- ↳ **Drinking water:** Data on the availability and quality of drinking water, for example, the percentage of the population with access to clean water.
- ↳ **Agricultural:** Availability and quality of water for agriculture, including small-scale agriculture and other daily uses.
- ↳ **Water and culture:** Cultural impacts of changes in water quality, for example, access to sacred water sites.
- ↳ **EHRDs:** EHRDs advocating for safe water and adequate sanitation face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **Case law:** Case law on water and sanitation and the implementation or enforcement of related decisions or measures.

Guidance for NHRIs

- ✓ Monitoring important elements of action on safe and sufficient water using independent sources and information on the ground. Use this to compare or assess the reported progress claimed by the government against actual progress.
- ✓ Monitoring water quality impacts on those at heightened risk of marginalization and vulnerability, including women and girls, Indigenous Peoples, peasants and other rural workers, children, older persons, and persons with disabilities.
- ✓ Monitoring the situation of EHRDs, CSOs and other actors advocating for safe water, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

Resources

- ↳ **Human Right 2 Water:** Human Right 2 Water has developed a series of studies in the assessment of the country's integration of the human rights to water and sanitation, as well as the human right to a safe, clean, and healthy environment into law and policy at the national level.
- ↳ **Human Rights to Water and Sanitation (UN Water):** Includes data on issues related to water sustainability and approaches to address such issues, as well as links to further resources.
- ↳ **Availability, Accessibility, Acceptability and Quality Framework and the Right to Water:** International indicators from the Danish Institute for Human Rights.

2.5 HEALTHY AND SUSTAINABLY PRODUCED FOOD

2.5.1

Theme

T



Impacts

Current food systems contribute to over a third of GHG emissions, up to 80 per cent of biodiversity loss and deforestation, generate a significant amount of pollution, and use up to 70 per cent of freshwater.⁸⁶ Healthy food requires environmental protection. WHO estimates that pollution severely impacts food through foodborne illnesses, causing 600 million illnesses and 420,000 deaths yearly from unsafe food, straining economies, and harming children.⁸⁷



Other key human rights affected

Rights to life, health, water, food, property, development, equality and non-discrimination, cultural rights, as well as the rights of Indigenous Peoples, and the rights of the child and future generations.⁸⁸



Obligations

States have obligations with respect to the human right to food, which is protected through treaty obligations such as Article 11 of the International Covenant on Economic, Social, and Cultural Rights. The R2HE looks at the sustainability of food systems. As such, R2HE is essential to the enjoyment of the adequacy dimension of the right to food, including with respect to food quality and safety, requiring food to be accessible for both present and future generations.



Linked SDGs

Healthy and sustainable food is linked with SDG 2 (Zero Hunger), as well as SDG 3 (Good Health and Well-Being), SDG1 (No Poverty), SDG 12 (Responsible Consumption and Production), and SDG 14 (Life Below Water).

2.5.2

Rules

R

Please consider the 'rules' related to healthy and sustainable food in your context, including the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **Sustainable Healthy Diets Guiding Principles (FAO, WHO):** Provides guidance to combine international nutrition recommendations, the environmental cost of food production and consumption. Adaptable to local contexts.
- ↳ **World Declaration and Plan of Action for Nutrition (FAO, WHO) [1992]:** Commitment to ensure that development programmes and policies are mindful of the environment and are conducive to better nutrition and health for present and future generations.

⁸⁶ See UN Food Systems Coordination Hub.

⁸⁷ See World Health Organization, *Food Safety: Key Facts*.

⁸⁸ International instruments guarantee the right to adequate, healthy, and sustainably produced food (ICESCR Art. 11), with specific protections for women (CEDAW Arts. 12, 14), children (CRC Arts. 24, 27), persons with disabilities (CRPD Arts. 25, 28), Indigenous Peoples (UNDRIP Arts. 24, 26), and peasants (UNDROP Arts. 15, 19).



- ↳ **International Code of Conduct on the Distribution and Use of Pesticides (FAO)**: Establishes voluntary global standards to ensure safe pesticide management that protects human health and the environment.
- ↳ **Committee on Economic, Social and Cultural Rights General Comment No. 12: The Right to Adequate Food (Art. 11) (CESCR)**: Clarifies substantive obligations. Addresses the sustainability of food and defines “adequate food” as not just the availability of sufficient food but also physical and economic access to it sustainably, ensuring it is nutritious and culturally acceptable, through the sustainable use of natural resources in ways that do not interfere with the enjoyment of other human rights.
- ↳ **Sendai Framework for Disaster Risk Reduction (UNDRR)**: Addresses food security by aiming to reduce disaster risks in agriculture, fisheries, and forestry.
- ↳ **Minimum Dietary Diversity (FAO)**: SDG indicator that includes diversity and variety of foods as one of the pillars of a healthy diet, as well as the quality of a diet to prevent all forms of malnutrition and support health, growth, and development.
- ↳ **COP28 UAE Declaration on Sustainable Agriculture, Resilient Food Systems and Climate Action (UNFCCC) [2023]**: Signed by 134 countries, this commits to integrating food into climate plans by 2025.

Guidance for NHRIs

- ✓ Monitoring international obligations of States on healthy and sustainably produced food including the international human right to food, notably the ICESCR, Article 11, and its authoritative interpretation, CESCR General Comment No. 12: The Right to Adequate Food (Art. 11). This is to ensure the State fulfils the right to adequate food sustainably, addressing both food availability and safety.

Resources

- ↳ **Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines) (FAO)**: Provides guidance on how to implement the right to food at the national level.
- ↳ **Report of the Special Rapporteur on the R2HE on ‘Healthy and Sustainable Food: Reducing the Environmental Impacts of Food Systems on Human Rights’**: Outlines the detrimental impacts of industrial food systems alongside the State obligations, business responsibilities, and transformative actions required.
- ↳ **Reports of the Special Rapporteur on the Right to Food**: Human rights obligations related to hunger and food insecurity, including on the relationship between food and the environment.
- ↳ **Measures for Minimizing the Adverse Impact of Climate Change on the Full Realization of the Right to Food (OHCHR)**: Identifies five human rights-based pathways to minimize climate impacts on the right to food while transforming food systems.

- ↳ **Adverse Impact of Climate Change on the Full Realization of the Right to Food (UNSG):** Examines climate impacts on the right to food and proposes human rights-based adaptation and mitigation strategies.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

- ↳ **Inter-American Convention on Human Rights [1969]:** IACtHR has specified states' obligations regarding food in its case law.⁸⁹
- ↳ **San Salvador Protocol to the American Convention on Human Rights [1988]:** Outlines the obligation of State Parties to take measures to ensure the right to adequate food, including improving production, supply, and distribution.
- ↳ **African Charter on Human Rights and its Maputo Protocol [1981, 2003]:** Recognizes the right to food as a fundamental human right, and the Maputo Protocol specifically addresses the right to food for women.
- ↳ **African Charter on the Rights and Welfare of the Child [1990]:** Recognizes the right to food as part of the right to health, requiring states to ensure adequate nutrition and combat malnutrition.
- ↳ **ASEAN Declaration on the Right to a Safe, Clean, Healthy and Sustainable Environment [2025]:** Includes the right to an adequate standard of living, encompassing the right to adequate and affordable food, freedom from hunger, and access to safe and nutritious food.

Guidance for NHRIs



Monitoring regional obligations and commitments on healthy and sustainably produced food to ensure alignment at the national level through laws and policies which aim to improve nutrition, take into account possible impacts on food security and reduce environmental impact.

LEVEL NATIONAL



Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **Food:** Laws that set standards for food quality, including penalties for breach of those standards.⁹⁰ Measures protecting consumers from unsafe food and increasing food security, particularly for populations at heightened risk of marginalization or vulnerability.
- ↳ **Corporate regulation:** Laws and policies aimed at regulating and minimizing industrial food production and monopolies and their environmental impacts, including air, water, and soil pollution,⁹¹ as well as human rights impacts, for example, from the use of agrochemicals, and laws relating to agriculture.⁹²

89 IACtHR *Climate Advisory Opinion*, B2.2(v) Water and Food.

90 ISO standards may be relevant: ISO, 'ISO and Water' (2017).

91 See also Sections 2.2 (Clean Air), 2.4 (Safe and Sufficient Water), and 2.6 (Non-Toxic Environment) of this Tool.

92 See FAO 'Policy Brief: The right to food and responsible investment in agriculture and food systems' (2021).



- ↳ **Health:** Laws and policies that provide for monitoring of food quality and health effects, particularly in badly affected regions, and in relation to the provision of information to the public.
- ↳ **People at heightened risk of marginalization or vulnerability:** Laws and policies that address the lack of sustainable and healthy food for certain groups, such as people in poverty, Indigenous Peoples, peasants and other rural workers, women and girls, persons with disabilities, migrants, and children.
- ↳ **Food loss and waste:** Laws regulating waste management, including the portion of crops fed to livestock or used to manufacture non-food products such as biofuels.
- ↳ **Meat products:** Laws and other regulatory measures aimed at reducing the production and consumption of meat, particularly beef, and shifting to protein crops.
- ↳ **Dietary diversity:** Laws aimed at maintaining, adapting, or strengthening dietary diversity and healthy eating habits, such as increased intake of fruit and vegetables, and food preparation, including for the feeding of infants and school children.
- ↳ **Local food markets:** Laws and other regulatory measures governing small-scale local and regional food markets.
- ↳ **Climate-related disasters:** Laws and other regulatory measures establishing food safety nets for those unable to provide for themselves and food assistance in climate-related disasters, including through human rights-based international assistance, if needed.

Sector-specific laws and policies, including those relating to the economy, agriculture, fisheries, forestry, land use, and land reform:

- ↳ **Organic and regenerative agriculture:** Laws and policies relating to sustainable, organic, and regenerative agriculture, agro-ecological farming, and other approaches supporting small-scale farmers and those living in poverty.⁹³
- ↳ **Fair payment and social protection:** Laws and policies that regulate pay for food producers, ensuring they receive a fair return for their labor and adequate social safety nets for difficult circumstances.
- ↳ **Water use:** Laws and policies supporting biodiversity and sustainable water use.
- ↳ **Subsidies:** Laws and policies that govern subsidies, ensuring such subsidies move away from harmful forms of food production and towards the support of agroecology and sustainable diets.
- ↳ **Tenure rights:** Laws and policies that respect and protect land rights and security of tenure, in particular for Indigenous Peoples and peasants, with respect to land, water, forests, fisheries, and livestock.
- ↳ **Access to land:** Laws and policies that ensure equitable access to land, particularly by groups at heightened risk of marginalization and vulnerability, such as women, girls, Indigenous Peoples, and people in poverty.
- ↳ **Degraded land:** Laws and policies that aim to restore degraded land, including to restore for agricultural use.
- ↳ **Natural resources:** Laws and policies that encourage conservation and sustainable management of natural resources.

⁹³ See CFS, 'Policy Recommendations on Agroecological and Other Innovative Approaches for Sustainable Agriculture and Food Systems that Enhance Food Security and Nutrition' (2020).



Guidance for NHRIs

- ✔ Monitoring laws and policies for alignment with human rights obligations of States,⁹⁴ and responsibilities of business with respect to healthy and sustainably produced food. This includes laws and policies addressing the most affected, such as women and girls, smallholder farmers, fisher communities, peasants and other people working in rural areas, people in poverty, Indigenous Peoples, older persons.⁹⁵
- ✔ Monitoring laws and policies for alignment with international standards, including those set by the WHO, the FAO Right to Food Guidelines, and the CFS Principles for Responsible Investment in Agriculture and Food Systems.
- ✔ Monitoring agricultural and food policies to ensure they account for the environmental costs of production. This includes verifying that food systems promote biodiversity, build climate resilience, and addressing the deep interconnectedness between food security and the R2HE.

Resources

↳ **FAOLEX Database:** Global legislative and policy database on national laws, regulations, and policies on food, agriculture, and natural resources management.

2.5.3

Enforcement and Oversight →



Please consider how the ‘rules’ related to healthy and sustainable food are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.

ENFORCEMENT AND OVERSIGHT ON PAPER

PAPER

↳ **Reporting and assessments:** Assessments and monitoring reports reviewing and evaluating your country’s food quality laws, policies and practices against national and international obligations and standards, including the WHO food guidelines, Right to Food Voluntary Guidelines, and climate and biodiversity indicators (including those set out in NDCs and NBSAPs),⁹⁶ as well as human rights impacts noted by the UPR, Human Rights Treaty Bodies, Special Rapporteur country missions, and regional human rights mechanisms.

94 See Sections 2.1 (Safe Climate) and 2.3 (Healthy biodiversity and ecosystems) of this Tool.

95 See Sections 2.1 (Safe Climate) and 2.3 (Healthy biodiversity and ecosystems) of this Tool

96 See Sections 2.1 (Safe Climate) and 2.3 (Healthy biodiversity and ecosystems) of this Tool

PAPER

- ↳ **Nationally collected information:** Collection and dissemination of information on healthy and sustainable food, including:
- Measures to support regenerative and sustainable agriculture, such as agroecology projects, education, training, and support provided to small-scale food producers.
 - Measures to reduce food contamination, as well as the use of pesticides and chemical fertilizers.
 - Human rights impacts of unhealthy food, including deaths and illness from foodborne diseases, particularly in groups at heightened risk of vulnerability.
 - Impacts of food production on ecosystem health.
 - Fair access to healthy and diverse food, especially for children, women, and groups at heightened risk of marginalization and vulnerability.
 - Reports submitted by agribusiness relating to the environmental and human rights impacts of their operations.
 - Healthy and sustainable food-related scientific reporting or advice.

**ENFORCEMENT AND OVERSIGHT IN PRACTICE**

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise in this area, for example, on the use of agrochemicals in soil or air, and soil or water pollution resulting from food production.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts or other relevant bodies on food systems, including dedicated food and agriculture pollution expertise and capacities.
- ↳ **Enforcement agencies:** Environmental, food, fisheries, and agricultural enforcement agencies, including prosecutors, police, and other enforcement actors.

**ENFORCEMENT AND OVERSIGHT IN PROCESS**

- ↳ **Consultations:** Efforts to engage the public and collect the lived experiences of communities, particularly those most affected by food insecurity, and unhealthy and unsustainable food practices.
- ↳ **Food quality monitoring and integrated response:** Processes to systematically monitor action on healthy and sustainable food to ensure an integrated response across government, in turn supporting cohesive action across sectors, including health, education, transport, industry, as well as among business, civil society and other actors.

PROCESS

Guidance for NHRIs

- ✓ Monitoring consultation processes in relation to food to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
- ✓ Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches to ensuring healthy and sustainably produced food, including Indigenous approaches.
- ✓ Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to food security, sustainability and production.

2.5.4

Environmental Harms and Impacts



Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts related to healthy and sustainable food, including:

- ↳ **International and regional:** International and regional reports, which can provide information on food quality and sustainability in your country.
- ↳ **National:** National sources which give you a picture of how food quality and sustainability are being experienced and responded to on the ground, for example, through independent research institutes, academics, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks

Sources below provide information for monitoring healthy and sustainable food:

LEVEL INTERNATIONAL



- ↳ **FAOSTAT (FAO):** Food and agricultural data for over 245 countries, across a range of criteria including food availability, land use, pesticide use, etc.
- ↳ **Food Sustainability Index:** Interactive map measuring the sustainability of food systems in 78 countries (G20 plus 5 countries in unrepresented regions) around three key pillars: food loss and waste, sustainable agriculture, and nutritional challenges.
- ↳ **State of Food Security and Nutrition in the World 2025 (FAO, International Fund for Agricultural Development, UNICEF, World Food Programme, WHO):** Data and analysis on hunger, food security, and nutrition worldwide, including updated estimates on the cost and affordability of healthy diets.
- ↳ **Cost and Affordability of a Healthy Diet dataset (FAO, World Bank):** Indicators estimating the cost and affordability of a healthy Diet in each country.
- ↳ **Global Report on Food Crises:** Analyses of global, regional, and country-level food insecurity.



- ↳ **Food Systems Countdown Initiative:** Information and indicators on the current state of global food systems in the countdown towards 2030.
- ↳ **Global Assessment of Soil Pollution (FAO, UNEP):** Information on levels and sources of soil pollution and their impacts.
- ↳ **World Soils Database (FAO):** 15,000 different soil mapping units that combine existing regional and national updates of soil information worldwide.

Guidance for NHRIs



Monitoring elements of food-producing systems through independent and other sources against national efforts.

LEVEL REGIONAL



- ↳ **European Food Information Council:** EU organization providing information on science and health.

LEVEL NATIONAL



- ↳ **Target populations:** Food quality and sustainability impacts particularly among groups at heightened risk of marginalization and vulnerability, including women, people in poverty, persons with disabilities, Indigenous Peoples, peasants and other rural workers, and children.
- ↳ **Access:** Physical and financial access to affordably priced healthy and sustainably produced food, such as fruit and vegetables, including information on access by specific populations at heightened risk of vulnerability.
- ↳ **Corporate practice:** Commercial and other activities impeding access to healthy and sustainably produced food and ways to address these, including food advertising, production, and processing.
- ↳ **Industrial agriculture:** Information on the impacts of industrial agriculture on the environment and human rights, including soil degradation.
- ↳ **Agricultural water:** Information on agricultural water withdrawal as a percentage of total renewable water resources.
- ↳ **Agricultural land dedicated to sustainable food production practices like agroecology, regenerative agriculture:** Information on the percentage of agricultural land with a minimum level of natural habitat.
- ↳ **Finance:** Budget dedicated to agrifood systems transformation, shifting away from practices that are harmful to people and the planet.⁹⁷
- ↳ **Fishery and overfishing:** Information on the availability and sustainability of fishing practices, fish stocks, and impacts of overfishing.
- ↳ **Food contamination from pollutants:** Information on the impact of the use of plastics on healthy and safe food.
- ↳ **Pesticides:** Information on pesticide use and nitrogen application in agricultural production.

97 See further, UN Food Systems Coordination Hub, 'Unlocking finance for large-scale food systems transformation'.



- ↳ **EHRDs:** EHRDs advocating for clean healthy and sustainably produced food face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **Deaths and illnesses:** Percentage of population affected by food-borne diseases or related deaths resulting from consumption of unhealthy diets or unsustainably produced food.
- ↳ **Availability of quality food:** Percentage of population with access to healthy and sustainable food. Information on the cultural and health impacts of food quality, such as changes in access to traditional foods.
- ↳ **Tenure rights:** Information on restrictions on the rights of individuals or their security of tenure with respect to land, water, forests, fisheries, and livestock.
- ↳ **Access to land:** Information on restrictions on equitable access to land, particularly for people at heightened risk of marginalization and vulnerability, including people in poverty, women, girls, persons with disabilities, youth, and Indigenous Peoples.
- ↳ **Sustainable farming and agroecology:** Information on good practices, success, and incentives for sustainable farming practices, including agroecology, and whether sufficient levels of income and support are available to small-scale sustainable food producers.
- ↳ **Case law:** Case law on healthy and sustainable food and the implementation or enforcement of related decisions or measures.

Guidance for NHRIs

- ✓ Monitoring elements of action on healthy and sustainable food using independent sources and information on the ground. Use this to compare or assess the reported progress claimed by the government against actual progress.
- ✓ Monitoring food quality impacts on those at heightened risk of marginalization and vulnerability, including women and girls, Indigenous Peoples, peasants and other rural workers, children, older persons, and persons with disabilities.
- ✓ Monitoring the situation of EHRDs, CSOs and other actors advocating for safe and sustainable food, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

2.6 NON-TOXIC ENVIRONMENTS

2.6.1

Theme

T



Impacts

Pollution, including hazardous substances and toxic waste, cause at least nine million premature deaths a year, particularly among marginalized communities.⁹⁸ Despite this, ongoing toxification of people and the planet is causing environmental injustices and creating ‘sacrifice zones’. While a few toxic substances have been banned or are being phased out, the overall production, use and disposal of hazardous chemicals continues to increase rapidly.⁹⁹



Other key human rights affected

Rights to life, health, water, food, housing, culture, and an adequate standard of living, development, equality and non-discrimination, as well as the rights of Indigenous Peoples, children, and future generations.



Obligations

States have obligations to prevent exposure to toxic substances and hazardous waste, which is essential for the protection of many rights. This includes establishing or strengthening legislation, regulations, standards and policies to prevent exposure to toxic substances, and developing action plans for preventing pollution, eliminating toxic substances and rehabilitating contaminated sites.¹⁰⁰ States must investigate situations of serious pollution or release of toxic substances and impose sanctions where violations occur.¹⁰¹



Linked SDGs

Non-toxic environment is linked to SDG 2 (Zero Hunger), SDG 3 (Good Health and Well-Being, for example, Target 3.9), SDG 6 (Clean Water and Sanitation), and SDG 12 (Responsible Consumption and Production, for example, Target 12.4).

2.6.2

Rules

R

Please consider the ‘rules’ related to non-toxic environment in your context, including the existence and adequacy of laws, policies, and plans.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter [1972]:** To protect the marine environment from toxic contamination by strictly regulating the deliberate dumping of hazardous wastes and other matter at sea.
- ↳ **International Convention for the Prevention of Pollution from Ships and its 1978 Protocol [1973]:** Regulates the operational and accidental discharge of oil, garbage, and toxic chemicals from ships.
- ↳ **Montreal Protocol on Substances that Deplete the Ozone Layer [1987]:** To reduce harmful atmospheric pollutants by phasing out the production and consumption of ozone-

98 Philip J Landrigan and others, ‘The Lancet Commission on Pollution and Health’ (2018) 391 The Lancet 462.

99 Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, ‘The right to a clean, healthy and sustainable environment: non-toxic environment’ (2022) UN Doc A/HRC/49/53.

100 Special Rapporteur on Human Rights and the Environment, ‘Framework Principles on Human Rights and the Environment’ (2018) UN Doc A/HRC/37/59.

101 *Cáceres et al. v. Paraguay* Communication No. 2751/2016 (Human Rights Committee, 2016) UN Doc CCPR/C/126/D/2751/2016.



depleting chemicals.

- ↳ **Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal [1989]**: To ensure the protection of human health and the environment by strictly regulating the transboundary movements of hazardous wastes and other wastes (such as household waste), and requiring their environmentally sound management.¹⁰²
- ↳ **ILO Chemicals Convention [1990]**: To prevent toxic exposures and occupational illnesses by establishing comprehensive standards in the workplace.
- ↳ **ILO Prevention of Major Industrial Accidents Convention [1993]**: To protect workers, communities, and the environment from severe toxic exposure by preventing major industrial accidents involving hazardous substances and limiting their consequences.
- ↳ **Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade [1998]**: Relates to the trade of certain hazardous chemicals, as well as contributing to the environmentally sound use of those hazardous chemicals.¹⁰³
- ↳ **Stockholm Convention on Persistent Organic Pollutants [2001]**: To eliminate or reduce the release of chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or the environment.¹⁰⁴
- ↳ **Kyiv Protocol on Pollutant Release and Transfer Registers (PRTRs) under the Aarhus Convention [2003]**: PRTRs are inventories of pollution from industrial sites and other sources. All UN Member States can join the Protocol.
- ↳ **Minamata Convention on Mercury [2013]**: Includes a ban on new mercury mines, the phase-out of existing ones, the phase-out of mercury use, control measures on emissions to air and on releases to land and water.¹⁰⁵
- ↳ **Global Framework on Chemicals – For a Planet Free of Harm from Chemicals and Waste (UNEP)**: The framework aims to guide countries and stakeholders on jointly addressing the lifecycle of chemicals, including products and waste, through five strategic objectives and 28 targets.
- ↳ **Compendium of WHO and other UN guidance on health and environment – Chapter 5. Chemicals (WHO, UNDP, UNEP, UNICEF)**: Provides easy access to practical actions to scale up efforts to create healthy environments that prevent disease. It also provides recommendations to address a comprehensive range of environmental risk factors to health, such as chemicals, among others.
- ↳ **International Code of Conduct on the Distribution and Use of Pesticides (FAO)**: Establishes voluntary global standards to ensure safe pesticide management that protects human health and the environment.
- ↳ **One Health Assessment Tool (FAO)**: Assesses institutionalization and operationalization of the One Health approach, which recognizes that human, animal, and environmental health are interrelated.

¹⁰² See [here](#) for status of ratification by states and regions.

¹⁰³ See [here](#) for status of ratification by states and regions.

¹⁰⁴ See [here](#) for status of ratification by states and regions.

¹⁰⁵ See [here](#) for status of ratification by states and regions.



- ↳ **Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution:** This newly established panel will provide countries with independent, policy-relevant scientific advice on chemicals, waste, and pollution prevention.¹⁰⁶

Guidance for NHRIs

- ✓ Monitoring international obligations, commitments and environmental standards, such as the Globally Harmonized System of Classification and Labelling of Chemicals, relating to ambient air quality, indoor air quality, drinking water quality, and toxic chemicals.¹⁰⁵

Resources

- ↳ **Reports of the UN Special Rapporteur on Toxics and Human Rights (OHCHR):** On how exposure to hazardous substances impacts human rights.
- ↳ **Report of the UN Special Rapporteurs on R2HE on non-toxic environment:** Outlines State and business obligations to eliminate pollution and address environmental injustices like “sacrifice zones”.
- ↳ **Publications by the Secretariats of Minamata, Basel, Rotterdam and Stockholm Conventions:** For example, Global Governance of Plastics and Associated Chemicals.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives

- ↳ **Convention for the protection of the Mediterranean Sea against pollution and its Protocols [1978]:** To ensure a non-toxic marine environment by eliminating hazardous pollution in the Mediterranean Sea.
- ↳ **European Convention on Human Rights [1950]:** The ECtHR has affirmed that states have a positive obligation to take all appropriate steps to safeguard individuals’ lives in the context of non-toxic environment.¹⁰⁸
- ↳ **Inter-American Convention on Human Rights [1969]:** The IACtHR found in *La Oroya v. Peru* that Peru responsible for violating the rights to life (Art. 4.1), personal integrity (Art. 5), and a healthy environment (Art. 26) due to high levels of lead, cadmium, arsenic, and sulphur dioxide from a metallurgical complex.

¹⁰⁶ See UNEP, ‘Nations come together to establish new Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution’ (20 June 2025). NHRIs monitoring this element may wish to check for reports and other outputs from this panel once it begins work.

¹⁰⁷ See also Sections 2.2 (Clean Air) and 2.4 (Safe and Sufficient Water) of this Tool.

¹⁰⁸ *Cannavacciuolo and Others v Italy* App nos. 51567/14 and 3 others (ECtHR, 27 February 2025). For more European level instruments see Council of Europe Convention on the Protection of the Environment through Criminal Law; Council of Europe Convention on Civil Liability for Damage resulting from Activities Dangerous to the Environment; EU Registration, Evaluation and Authorisation and Restriction of Chemicals.



- ↳ **Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa [1991]:** Deals with hazardous wastes, such as hazardous substances banned, cancelled, or refused registration by government regulatory action for health or environmental reasons.¹⁰⁹
- ↳ **African Charter on Human Rights and its Maputo Protocol [1981, 2003]:** The AfCtHR has ruled that States have a primary duty to prevent toxic waste dumping to protect human rights, while multinational corporations bear independent legal accountability for environmental harm.¹¹⁰

Guidance for NHRIs

- ✓ Monitoring regional obligations and commitments in relation to toxic waste and pollution to ensure national regulatory frameworks align with such obligations.

LEVEL NATIONAL



Laws, policies, and other elements of national-level regulatory frameworks

- ↳ **Pollution and exposure:** Laws and policies that prevent pollution and exposure to toxic substances by establishing obligations for states and other actors, and setting out strict penalties for non-compliance.
- ↳ **Corporate regulation:** Laws and policies that regulate commercial activities that create exposure to toxic chemicals, and reduce the impacts, particularly from the most heavily polluting and hazardous industries.
- ↳ **Polluter pays:** Laws and policies that hold businesses liable for breach of regulatory standards and require the entities responsible for pollution to pay for clean-up, including by applying the 'Polluter Pays' principle.
- ↳ **Compensation:** Laws and policies that regulate compensation for environmental harm caused to individuals and communities by toxic pollution and guarantees of non-repetition in the future.
- ↳ **Health:** Laws and policies that provide for monitoring of toxicity and health effects, particularly in badly affected regions, and provide information about these impacts to the public.
- ↳ **People at heightened risk of marginalization or vulnerability:** Laws and policies that address the disproportionate impact of toxics on groups at heightened risk of marginalization or vulnerability, for example, people living in poverty and in sacrifice zones, Indigenous Peoples, workers, migrants, minorities, persons with disabilities, women, children, and older persons.¹¹¹

¹⁰⁹ See [here](#) for status of ratification by states and regions.

¹¹⁰ *Ligue Ivoirienne des Droits de l'Homme (LIDHO) and Others v. Republic of Côte d'Ivoire* App No. 041/2016 (AfCtHR, 5 September 2023).

¹¹¹ See Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, 'Implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes' (2022) UN Doc A/HRC/77/183.



- ↳ **Sacrifice zones:** Laws and policies that aim to end ‘sacrifice zones’, areas disproportionately affected and contaminated by toxics and other types of pollution.
- ↳ **Contaminated sites:** Laws and policies that require the remediation of sites contaminated by toxics and pollution, including soil, water, and air pollution.
- ↳ **Chemicals and waste:** Laws and policies that provide for the environmentally sound management of chemicals and waste.
- ↳ **Circular and non-toxic economy:** Laws and policies promoting a circular, non-toxic economy.
- ↳ **Lifecycle management of hazardous substances:** Laws and policies governing the production, import, sale, use, release, and disposal of substances that may harm human health or the environment, aiming to eliminate negative impacts on human rights.
- ↳ **Foodborne diseases:** Laws and policies regarding foodborne diseases resulting from pollution and contamination.¹¹²

Guidance for NHRIs

- ✓ Monitoring laws and policies for alignment with human rights obligations of states and responsibilities of business in the context of toxics and pollution. This includes laws and policies addressing the most affected, such as women and girls, people in poverty, Indigenous Peoples, older persons, children, persons with disabilities, and migrants.¹¹¹
- ✓ Monitoring possible regression or weakening of environmental protections against toxic and other types of pollution, for example, to facilitate greater investment.
- ✓ Monitoring laws preventing the export of toxic waste and pollution to the country from other jurisdictions, or from the country to other jurisdictions.

2.6.3

Enforcement and Oversight

E

Please consider how the ‘rules’ related to non-toxic environment are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness.

¹¹² See further, UNDRR, ‘Foodborne Diseases’.

¹¹³ See Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, ‘Pollution information portals: strengthening access to information on releases of hazardous substances’ (2024) UN Doc A/HRC/57/52. See also relevant reports by the Special Rapporteur on toxics and human rights.



ENFORCEMENT AND OVERSIGHT ON PAPER

- ↳ **Reporting and assessments:** Assessments and monitoring reports reviewing your country's laws, policies, and practices on toxics against its national and international environmental obligations, as well as standards set by bodies such as the WHO, alongside human rights impacts noted by the [UPR](#), [Human Rights Treaty Bodies](#), [Special Rapporteur](#) country missions, and regional human rights mechanisms.
- ↳ **Nationally collected information:** Collection and dissemination of information on toxic environments, such as:
 - Data on pollution, including emissions, and toxicity levels.
 - Measures to reduce pollution and toxicity.
 - Data on major sources of exposure and accessible information about risks to health, such as foodborne diseases, including on groups at heightened risk of vulnerability.¹¹⁴
 - Reports submitted by relevant industrial actors relating to emissions of pollutants and toxic substances.
 - Pollution modelling data and projections.
 - Scientific reporting or advice.
 - [Sacrifice zones](#) and sites disproportionately impacted by toxics and other types of pollution.
 - Rehabilitation of polluted land.



ENFORCEMENT AND OVERSIGHT IN PRACTICE

- ↳ **Oversight and inspection agencies:** Institutional oversight, inspection, and monitoring by governments, state-based independent bodies, or other bodies with specialized expertise in pollution, such as environmental inspection agencies.
- ↳ **Monitoring:** Establishing pollution monitors and stations, particularly in areas of high pollution or toxicity.
- ↳ **Judicial and non-judicial mechanisms:** Case law, opinions, and decisions by courts and other relevant bodies concerning pollution and toxic environments.
- ↳ **Inspection and enforcement agencies:** Environmental enforcement agencies, prosecutors, police, and other actors with the competence to enforce standards on pollution and toxic substances.

114 See also FAO, '[One Health Assessment Tool](#)'.



ENFORCEMENT AND OVERSIGHT IN PROCESS

- ↳ **Consultations:** Processes to engage the public and collect lived experiences of communities, particularly those most affected by toxic environments, including through community consultations, and engagement with CSOs and scientific experts.
- ↳ **Toxic and pollution monitoring and integrated response:** Processes to systematically monitor action on toxic environments to ensure an integrated response across government, in turn supporting cohesive action across sectors, including health, education, transport, industry, as well as among business, civil society, and other actors.
- ↳ **Community and private monitoring:** Supporting community, academic, and commercial efforts to monitor the levels of toxicity within their environments, as far as safely possible.

Guidance for NHRIs

- ✓ Monitoring consultation processes in relation to non-toxic environments to ensure they are participatory, rights-based, meaningful, and engage with scientific and legal experts, civil society, and affected communities and rights holders.
- ✓ Monitoring oversight processes to ensure the incorporation of community and locally led monitoring approaches to combatting toxics and pollution, including Indigenous approaches.
- ✓ Monitoring the capacities and expertise of relevant bodies to ensure they possess the technical ability to effectively oversee and enforce standards relating to toxics and pollution.

2.6.4

Environmental Harms and Impacts →



Please consider the actual situation on the ground for what is legislated, planned, and reported at the country level against recorded harms and impacts related to non-toxic environment.

- ↳ **International and regional:** International and regional reports, which can provide information on the presence of toxic substances and pollution in your country.
- ↳ **National:** National sources which give you a picture of how pollution and toxics are being experienced and responded to on the ground, for example, through independent research institutes, academics, and agencies, Indigenous Peoples, CSOs, EHRDs, rural communities, and networks

Sources below provide information for monitoring non-toxic environments:

LEVEL INTERNATIONAL

- ↳ **Global Chemicals Outlook II: From Legacies to Innovative Solutions** (UNEP): Tackles the progress and gaps towards the global goal to minimize the adverse impacts of chemicals and waste.¹¹⁵

LEVEL REGIONAL

- ↳ **North American Pollutant Release and Transfer Initiative:** Focus on tracking and making publicly accessible information about industrial pollutant releases and transfers across North America.
- ↳ **The European Industrial Emissions Portal:** Platform providing information on industrial pollution in Europe, acting as a register for industrial releases of pollutants and waste.

LEVEL NATIONAL

- ↳ **Hazardous chemicals and pollution:** Information on deaths and illnesses from hazardous chemicals and pollution, particularly of people at heightened risk of marginalization or vulnerability.
- ↳ **Commercial activities:** Information on commercial and other activities, such as agribusiness, that are causing toxic pollution, including penalties and sanctions on polluting companies that breach regulations.
- ↳ **Environmental data:** Information on environmental quality, levels of air, water, and soil pollution, waste, chemicals, toxics, and other potentially harmful substances, as well as biomonitoring data.
- ↳ **Pollution hotspots and sacrifice zones:** Information on identification, monitoring, and remediation of known pollution hotspots or 'sacrifice zones'.
- ↳ **Wildlife and ecosystems:** Information on the risk to the public, wildlife, and ecosystems of harm from toxic pollutants and how this is being addressed.
- ↳ **Toxic waste:** Information on the transportation of toxic wastes to or from your country, as well as the levels of waste generated per capita, availability of refuse collection, recycling services, and recycling rates.
- ↳ **EHRDs:** EHRDs advocating for pollution and toxics face severe retaliations, including threats, harassment, criminalization, and physical violence.
- ↳ **Case law:** Case law on pollution and toxics and the implementation or enforcement of related decisions or measures.

¹¹⁵ For example, Part II of the report assesses progress and gaps, and links to air, water, and soil pollution information in [Sections 2.2 \(Clean Air\)](#), [2.4 \(Safe and Sufficient Water\)](#), and [2.6 \(Non-Toxic Environment\)](#) of this Tool



Guidance for NHRIs

- ✓ Monitoring important elements of action on non-toxic environments using independent sources and information on the ground. Use this to compare or assess claims of reported progress made by the government and other state agencies against actual impacts.
- ✓ Monitoring through independent sources pollution and toxic impacts on those at heightened risk of marginalization and vulnerability, including women and girls, Indigenous Peoples, children, older persons, and persons with disabilities.
- ✓ Monitoring the situation of EHRDs, CSOs and other actors advocating for toxic and pollution free environments, including by tracking incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution, to provide assistance and ensure their protection.

Resources

- ↳ **Pollution and Health (UNEP):** Section on 'Chemicals and Waste', consolidates extensive information, monitoring data, national inventories, and digital tools related to harmful chemicals and waste.
- ↳ **Beat Pollution (UNEP):** Platform offering data, maps, and indicators to track pollution trends and hotspots with offers concrete policy guidance ("Take Action" section), and targeted measures for governments and stakeholders.

Part 3

MONITORING GUIDANCE - PROCEDURAL ELEMENTS



3.1 APPROACHING THE PROCEDURAL ELEMENTS OF THE R2HE

The procedural elements of the R2HE generally support the fulfilment of the substantive elements. The following section follows a modified version of the ‘TREE’ structure.



Impacts

The procedural elements of the R2HE are crucial for the protection of the right to a clean, healthy and sustainable environment.



Related Obligations

The procedural rights elements of the R2HE connect with human rights obligations relating to the rights to access to justice, access to information, participation in public affairs, freedom of assembly, freedom of expression, fair trial, and to remedy. These elements also relate strongly to the protection of EHRDs.



Linked SDGs

Procedural elements are linked to SDG 16, which includes targets related to access to information, public participation, and access to justice.¹¹⁶

RIGHT TO A HEALTHY ENVIRONMENT: A USER'S GUIDE



The Special Rapporteur on the right to a clean, healthy and sustainable environment has identified the following obligations in respect of the procedural elements of the R2HE in the User's Guide:¹¹⁷

- a. Provide the public with accessible, timely, affordable, and understandable information regarding the causes and consequences of the global climate and environmental crisis;
- b. Ensure that all children and youth are taught about their right to a clean, healthy, and sustainable environment as part of a comprehensive ecological education and human rights curriculum, from kindergarten through university;
- c. Ensure meaningful, informed, inclusive, and equitable public participation in all climate and environmental decision-making, with a particular emphasis on empowering people at heightened risk of marginalization or vulnerability;
- d. Prohibit discrimination and ensure equal and effective protection against discrimination in relation to the enjoyment of the right to a clean, healthy, and sustainable environment;
- e. Respect and protect the rights to freedom of expression, association, and peaceful assembly in relation to climate and environmental matters;
- f. Establish monitoring programmes, assess major sources of exposure and provide the public with accurate, accessible information about risks to human rights, human health and ecosystem integrity;

¹¹⁶ See UNEP, 'Issue Brief SDG 16' (May 2019).

¹¹⁷ See Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment, 'The Right to a Healthy Environment: A User's Guide' (2024) pp15-16.

- g. Use the best available scientific evidence to develop laws, regulations, standards, and policies;
- h. Assess the potential environmental, social, health, cultural, and human rights impacts of all plans, policies, projects, and proposals that could foreseeably exacerbate the climate and environmental crisis;
- i. Enable affordable and timely access to justice and effective remedies for all, in order to hold States and businesses accountable for complying with climate and environmental laws;
- j. Integrate gender equality into all climate and environmental plans and actions and empower women, girls, and gender-diverse persons to play leadership roles at all levels;
- k. Respect the rights (including land and tenure rights) of Indigenous Peoples and peasants in all actions that could cause environmental harm in their territories, ensure that they receive a fair share of the benefits from activities relating to their lands, territories, cultures or resources, and also respect traditional knowledge, customary practices and Indigenous Peoples' right to FPIC;
- l. Ensure safe civic spaces in which individuals, groups, and organizations can work on human rights or environmental issues, vigilantly protect EHRDs from intimidation, criminalization, and violence, diligently investigate, prosecute, and punish the perpetrators of these crimes, and address the root causes of social-environmental conflict. The Special Rapporteur notes that these are obligations, not options.

3.1.1

Rules

Legal protections for the procedural elements of the R2HE, namely access to information, public participation, and access to justice, are often dealt with collectively in legal instruments.

LEVEL INTERNATIONAL



Key international treaties, commitments, guidelines, or initiatives

- ↳ **Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters [1998] and its Protocol on PRTRs [2003] (UNECE):** Implementation of the Aarhus Convention and its Protocol is monitored by their respective bodies, e.g., Compliance Committee, and the world's first Rapid Response Mechanism to protect Environmental Defenders, established under the Convention in the form of the Special Rapporteur. All UN Member States can accede to the Convention.¹¹⁸
- ↳ **Principle 10 of the Rio Declaration on Environment and Development [1992]:** Sets out the three fundamental rights of environmental information, participation, and access to justice.
- ↳ **Bali Guidelines on Principle 10:** General guidance on the implementation of Principle 10 of the Rio Declaration.
- ↳ **International Court of Justice:** ICJ has recognized the importance of environmental procedural obligations, such as EIA and consultation with other states.

¹¹⁸ See here for latest implementation reports of the Aarhus Convention and its Protocol on PRTRs: <https://aarhusclearinghouse.unece.org/national-reports/reports> and <https://prtr.unece.org/national-reports/reports>



Resources

- ↳ **Environmental Rule of Law: Tracking Progress and Charting Future Directions (UNEP)**: An assessment of the environmental rule of law throughout the world, tracking progress and identifying trends, in a report series that began in 2019.
- ↳ **Environmental Democracy Index**: Archived index showing information on the protection of environmental procedural rights by country starting from 2015.
- ↳ **The Right to Participation in Multilateral Environmental Processes (OHCHR)**: Guidance on ensuring the effective participation of the public and marginalized groups in the negotiation of the Global Plastics Treaty.
- ↳ **Guidelines on the effective implementation on the right to participate in public affairs (OHCHR)**: Practical recommendations for States on effectively implementing the right to participate in public affairs.

LEVEL REGIONAL



Key regional treaties, commitments, guidelines, or initiatives ¹¹⁹

- ↳ **Escazú Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean [2018]**: A binding regional treaty ensuring access to information, public participation, and justice in environmental matters, distinguished by being the first globally to enshrine specific, legally binding protections for EHRDs. The implementation is supported by the Committee to Support Implementation and Compliance.
- ↳ **Plan de Acción sobre defensoras y defensores de los derechos humanos en asuntos ambientales en América Latina y el Caribe (UNECLAC)**: A regional framework dedicated to protecting EHRDs in Latin America and the Caribbean.
- ↳ **IACtHR**: The Court delivered an Advisory Opinion (AO-23/25), reaffirming the obligation to protect EHRDs. The AO also reaffirmed the right to science, which includes everyone's access to the benefits of scientific and technological progress.
- ↳ **Inter-American Commission on Human Rights (IACHR) Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights**: A specialized mandate dedicated to promoting and protecting economic, social, cultural, and environmental rights across the Americas.
- ↳ **ASEAN Declaration on the Right to a Safe, Clean, Healthy and Sustainable Environment [2025]**: Grounding Principles for ASEAN member states to respect, protect, and fulfil the right to a healthy environment.

¹¹⁹ Discussions are also taking place on an environmental procedural rights framework for Africa. See for example, International Human Rights Service, 'ACHPR81: Advancing environmental rights through an African regional framework' (19 October 2024).

RESOURCES FOR MONITORING THE SITUATION OF ENVIRONMENTAL HUMAN RIGHTS DEFENDERS



In considering both substantive and procedural elements of this Tool, an understanding of the position of EHRDs and environmental activists is crucial. The following is a list of reports and resources that may assist NHRIs in this area:

- ↳ **Civicus Monitor**: Tracks civic space globally, including for environmental CSOs.
- ↳ **GANHRI Global Action Plan to support the protection and promotion of human rights defenders and civic space**: Established under the Marrakech Declaration “Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions” (2018), the Global Action Plan sets out a range of practical initiatives to support NHRIs, including establishing National Protection Mechanisms for early warning mechanisms and human rights defender focal points within NHRIs.
- ↳ **Global Witness latest report on the situation of Environmental Human Rights Defenders**: Published annually.
- ↳ **Front Line Defenders’ Global Analysis**: Important developments related to human rights defenders’ (HRDs) work and security around the world, including the only annual documentation of all HRDs killed each year.
- ↳ **Reports of the UN Special Rapporteur on Environmental Defenders under the Aarhus Convention (UNECE)**: Reports of the UN Special Rapporteur on Environmental Defenders, including threats to environmental defenders and Guidelines on the Right to Peaceful Environmental Protest.
- ↳ **Tipping Points**: Human Rights Defenders, Climate Change and a Just Transition: Report of the Special Rapporteur on HRDs examining contributions by HRDs to addressing climate change and achieving a just transition, despite the risks they face.
- ↳ **Human Rights Defenders Working on the Sustainable Development Goals**: Report of the Special Rapporteur on HRDs, highlighting the contributions made by HRDs to achieving the Sustainable Development Goals, including in relation to environmental Goals.
- ↳ **UN Guidance Note on Environmental Human Rights Defenders**: Guidance to UN Country Teams on actions to protect EHRDs.

3.2 ACCESS TO INFORMATION

To protect the R2HE, it is essential for members of the public to have access to timely, transparent and accessible environmental information, including on planned development projects, proposals, and hazardous activities that may impact them, as well as on the causes and consequences of environmental harms.

3.2.1

National Laws and Policies

Please consider the ‘rules’ related to access to information in your context, including the existence and adequacy of laws, policies, and plans.

- ↳ **Access to information:** Laws and policies giving members of the public rights to access environmental information, at low cost and in a timely manner, where there are only strict and limited exceptions to prevent such information from being provided, including freedom of information acts.
- ↳ **Dissemination of information:** Laws and policies governing the proactive dissemination of environmental information to the public by appropriate means, including targeted dissemination to groups at heightened risk of marginalization or vulnerability.
- ↳ **Impact assessments:** Laws and policies that ensure human rights and environmental assessments of all plans, policies, projects, and proposals, whether at the national, regional, or local level, that relate to the environment or have environmental impacts.
- ↳ **Review of exceptions** in access to information and their application
- ↳ **Access to private information:** Laws and policies requiring businesses to provide information to the public on the environmental and human rights impacts of their activities, including penalties for the failure to provide such information.
- ↳ **Best available science:** Laws and policies that require environmental decision-making to be based on the best available science, including, where possible, from independent and objective sources.
- ↳ **Environmental education:** Environmental education as a required component in the curriculum of learning institutions.

3.2.2

Enforcement and Oversight

Please consider how the ‘rules’ related to access to information are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness:

- ↳ **Institutional accessibility:** Processes that facilitate accessibility to environmental information by the public from government and other state bodies, including information on environmental laws, policies, measures, and plans, as well as hazardous and polluting activities, including freedom of information processes.
- ↳ **Environmental assessments:** Accessibility of the public to environmental assessments, including EIAs and other decision-making processes relating to plans, policies, and projects.

- ↳ **Public accessibility and presentation:** Environmental information presented in a non-technical manner that can be understood by the public, including in regional or minority dialects and languages, in particular those most affected by planned projects or policies and possible environmental harms.
- ↳ **Awareness and campaigns:** Public awareness activities and public information campaigns informing the public about environmental impacts and their right to a R2HE, and how to take action to secure it.
- ↳ **Infrastructure:** Proactive dissemination of information by public bodies and private actors on planned infrastructure projects and environmental impacts, for example, roads, airports, energy projects, extractive projects, climate action plans, and resource use plans, to ensure affected communities can participate in EIA processes.¹²⁰
- ↳ **Monitoring systems:** Information collected through public and private environmental monitoring systems and processes, providing the public with accurate, accessible, and science-based information about risks to human rights, human health, and ecosystem integrity, including harms highlighted in EIAs.
- ↳ **High-risk areas:** Information relating to toxic substances or the presence of pollution ‘hot spots’, ‘sacrifice zones’, or other locations disproportionately impacted by environmental degradation.
- ↳ **Education:** Environmental education, clubs, or campaigns covering the R2HE provided in schools and other learning institutions, from kindergarten to graduate level.
- ↳ **Complaints procedures:** Information Commissioners, Ombudspersons, or similar bodies to oversee the application of laws relating to environmental information and deal with complaints or appeals against refusals to provide information.

Guidance for NHRIs

- ✓ Monitoring laws, policies, and mechanisms related to the availability of environmental information to assess their effectiveness and identify any legal barriers that hinder public access.
- ✓ Monitoring the proactive dissemination of accessible information to the public and affected communities regarding environmental impacts, particularly in the context of Environmental Impact Assessments EIAs.
- ✓ Monitoring the rationale and information provided by public and private actors for environmental decisions to ensure the public is informed of risks to the environment and communities based on the best available science.

¹²⁰ See Special Rapporteur on the Right to a Clean, Healthy and Sustainable Environment, ‘[Framework for environmental, social and human rights impact assessments and the right to a clean, healthy and sustainable environment](#)’ (2025) UN Doc A/80/187.

The table below provides guidance on sources of information that you can use to map access to environmental information in your country, ranging from international assessments to national reports.

LEVEL INTERNATIONAL

- ↳ Recommendations under the UPR, Human Rights Treaty Bodies, and from Special Procedures mandate holders related to access to environmental information.
- ↳ Decisions or reports under the Aarhus Convention and its Protocol on PRTRs.

LEVEL REGIONAL

Case-law, findings, or reports from regional institutions and mechanisms monitoring access to environmental information, including:

- ↳ Decisions or guidance from regional human rights systems, including the AfCtHR, the IACtHR, the ECtHR, and the corresponding regional commissions on human rights.
- ↳ Decisions or reports under the Escazú Agreement.

LEVEL NATIONAL

Available reports or other sources of information that relate to access to information, including:

- ↳ Number of requests for environmental information, including topic areas.
- ↳ Delays or refusals in providing environmental information.
- ↳ Appeals against refusals to provide information and the outcome of these appeals.
- ↳ Any judicial or non-judicial decisions from courts, tribunals, and other bodies relating to access to environmental information.

Guidance for NHRIs

-  Guidance for NHRIs: Monitoring the practical availability and accessibility of information provided during environmental processes to ensure it facilitates meaningful participation, particularly for affected communities.
-  Monitoring the relevance, expertise, and objectivity of available information for communities to make informed decisions on environmental impacts.
-  Monitoring practical trends in information requests to identify systemic barriers and violations of the right to access information, including rejection rates, appeal outcomes, and the use of exceptions (e.g., commercial sensitivity or national security).
-  Monitoring the lived experiences and grassroots engagement of Indigenous Peoples, civil society, and environmental NGOs to verify that information genuinely reaches local communities and reflects realities on the ground.

ACCESS TO INFORMATION ON CLIMATE CHANGE AND HUMAN RIGHTS



The report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change recommended that States should regularly collect, disseminate, and increasingly improve quality, trustworthy, and evidence-based information on:

- a. The causes and consequences of climate change, including emission levels and high-emitting activities from both State and non-State actors, as well as future climate change projections;
- b. Short and long-term risks and negative impacts of climate change on human rights, integrating the outcomes of climate vulnerability assessments;
- c. Strategic environmental assessments and EIAs, as well as the lived experiences of affected communities;
- d. The environmental effectiveness and the human rights impacts of mitigation and adaptation plans and activities, climate finance projects, just transition programmes and projects, carbon markets, and climate mitigation technology research and deployment;
- e. Public budgets allocated to the fight against climate change, as well as subsidies to fossil fuels and other high-emitting activities;
- f. Disaggregated data on human rights impacts of climate change and response measures on individuals and groups in situations of heightened vulnerability and marginalization;
- g. Activities that are within the State's influence or control and have impacts outside a State's territories, and international cooperation having an impact on human rights in the context of climate change.

3.3 PARTICIPATION IN DECISION-MAKING

Public participation increases public awareness about environmental concerns and improves the quality of environmental decision-making. Public authorities are required to ensure public participation and give due consideration to the views of the public when making decisions in relation to the environment and in regulating the plans and actions of businesses.

3.3.1

Information on the Ground

Please consider the ‘rules’ related to access to public participation in environmental decision-making in your context, including the existence and adequacy of laws, policies, and plans.

- ↳ **Environmental decision making:** Laws, policies, and plans that ensure meaningful, informed, inclusive, and equitable public participation in all climate and environmental decision-making, with a particular emphasis on empowering people at heightened risk of marginalization or vulnerability.
- ↳ **Gender equality:** Ensure integration of gender equality and women’s empowerment into all climate and environmental plans and actions, including gender impact analysis and indicators related to gender equality.
- ↳ **Impact Assessments:** Laws, policies, and plans ensuring that the public can participate effectively in EIAs and decision-making processes by participating throughout the process and having their opinions considered in the outcome, including:
 - Periods to be informed of the activities to prepare for participation in EIA processes, including requirements for EIAs to be adapted to the risk of the proposed project or activity, with longer windows for participation, enhanced proactive information provision, and modelling or testing for environmental impacts;
 - Participation over mere consultation, including having the opportunity to shape, adapt, or even stop decisions and activities;
 - Integration of social or human rights considerations as part of EIAs.
- ↳ **Free, Prior and Informed Consent:** Where relevant, laws, policies, and plans that respect, protect, and fulfil the rights of Indigenous Peoples, including with respect to participation in decision-making and obligations to FPIC, in line with international standards.
- ↳ **Corporate responsibilities:** Requirements of businesses to ensure the participation of potentially impacted communities in decision-making and actions that have the potential to negatively impact the environment or human rights.

3.3.2

Enforcement and oversight

Please consider how the ‘rules’ related to participation are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness:

- ↳ **Public consultation:** Standing mechanisms, processes, or platforms that facilitate public participation in national environmental policies such as climate and biodiversity plans, or proposals for large infrastructure projects, including:

- Evidence of how the views of the public, particularly those directly affected, have been considered in relation to environmental plans and proposals;
 - Supports and other measures for affected communities to participate in environmental decision-making, such as translation of information and reasonable accommodation made for persons with disabilities.
- ↳ **Sites and locations:** Mechanisms and processes to engage communities living in environmental ‘sacrifice zones’ and support their participation in processes to resist or eliminate the harms being suffered in these areas.
 - ↳ **Civic space:** Mechanisms, processes, and other measures for civil society and EHRDs to freely and safely participate directly in decision-making, and supporting participation of communities in decision-making.
 - ↳ **Complaints bodies and access to justice:** Bodies and institutions that oversee the application of laws relating to participation in environmental matters, including examination of restrictions on the right to protest or the protection of EHRDs.¹²¹

Guidance for NHRIs

- ✓ Monitoring laws, policies, and processes that regulate public participation in environmental decision-making to ensure restrictions are limited to very exceptional circumstances, and that participation offers opportunities to adapt or stop activities.
- ✓ Monitoring the provision of relevant, timely, and accessible information to affected communities to ensure they are adequately equipped for active participation in decision-making.
- ✓ Monitoring requirements for participation in EIAs and other decision-making processes to ensure participation is meaningful and goes beyond mere consultation.

3.3.3

Information on the ground

The table below provides guidance on sources of information that you can use to map public participation in environmental decision-making in your country, ranging from international assessments to national reports.

LEVEL INTERNATIONAL



- ↳ Recommendations under the UPR, Human Rights Treaty Bodies, and from Special Procedures mandate holders related to the right to participation in environmental matters, including the right to freedom of assembly and the right to defend rights.
- ↳ Decisions or reports under the Aarhus Convention.

**Case-law, findings, or reports from regional institutions monitoring public participation, including**

- ↳ Decisions or guidance from regional human rights systems, including the AfCtHR, the IACtHR, the ECtHR, and the corresponding regional commissions on human rights.
- ↳ Decisions or reports under the Escazú Agreement.

**Available reports or other sources of information that relate to public participation, including**

- ↳ Public participation in environmental law, policy, practice, and decision-making, including EIAs.
- ↳ Civic space and rights to protest.
- ↳ Protection of EHRDs.
- ↳ Formats and platforms for public participation in environmental decision making.
- ↳ Legal decisions relating to public participation, rights of assembly, and EHRDs.

Guidance for NHRIs

- ✓ Monitoring actual practices of public participation in environmental decision-making to ensure they are genuinely influential and go beyond tokenistic or 'check-box' consultations.
- ✓ Monitoring the inclusion and specific situation of EHRDs in decision-making processes to ensure they can participate safely without fear of reprisal, drawing upon their lived experiences.
- ✓ Monitoring the actual participation of groups at heightened risk of marginalization or vulnerability to ensure their voices actively shape environmental outcomes, including women and girls, people in poverty, Indigenous Peoples, older persons, children, persons with disabilities, and migrants.

Resources

- ↳ **Open Government Partnership:** Promotes transparent, participatory, inclusive, and accountable governance through government and civil society working together.

3.4 ACCESS TO JUSTICE AND REMEDIES

States are legally required to provide timely, affordable, and effective access to justice and remedies to uphold their human rights and environmental obligations. Businesses are also responsible for providing access to remedies for environmental harms and abuses of the R2HE.

3.4.1

National Laws and Policies

- ↳ **Legal barriers:** Laws and policies that create barriers for individuals, groups, or CSOs in bringing legal actions for environmental injustices, including in relation to costs, public interest litigation, or the provision of legal aid.
- ↳ **Legal awareness and support:** Laws and policies that proactively support legal awareness and information of individuals and communities, and provide legal aid and other forms of financial support for such individuals, CSOs and communities to take legal actions and secure their rights.
- ↳ **Standing and locus standi:** Laws and policies that specifically restrict people from taking cases, having standing to take cases, or establishing locus standi, relating to the R2HE, to ensure standing is interpreted as offering wide access to legal actions.
- ↳ **Procedures:** Laws and policies that administrative and judicial procedures to challenge decisions, acts and omissions by public authorities, businesses and other private persons should be fair, equitable, timely and non prohibitively expensive;
- ↳ **Remedies:** Laws and policies that provide effective remedies for challenges to decisions and actions that affect the environment and possible violations and abuses of the R2HE to ensure such remedies are effective, adequate, timely, and fair, including:
 - Availability of injunctive, provisional, or interim relief by courts to consider or prevent environmental decisions and actions.
 - Clarity on compensation and other forms of reparations available to victims of environmental harms.
 - Clarity on fines, fees, and other penalties for environmental harms and measures for remediation and application of the environmental law principle of the ‘polluter pays’.
 - Established criminal liability for serious environmental harms caused.
 - Procedures that allow for legal actions for transboundary and extraterritorial environmental harms.
- ↳ **SLAPP cases:** Laws and policies that protect against Strategic Lawsuits Against Public Participation (SLAPP), including by protecting activists, whistleblowers, and other individuals or communities taking legal actions.

Please consider how the ‘rules’ related to access to justice are implemented, enforced, and monitored, including the existence of bodies, mechanisms, and processes, and their effectiveness:

- ↳ **Legal review:** Processes that offer judicial review of both the merits and procedural elements of environmental decisions made by public bodies to ensure judicial oversight of such decisions.
- ↳ **Specialized tribunals and courts:** Independence and impartiality of the judicial system to hear environment-related cases, including specialized environmental tribunals that provide both access and effective remedies for affected individuals and communities.
- ↳ **Capacities:** Provision of training and capacity programmes for lawyers, the judiciary, prosecutors, and other key justice actors to protect access and ensure effectiveness of remedies.
- ↳ **Enforcement:** Measures and processes to follow up and enforce judgments to ensure remedies are effective, timely, and fair.

Guidance for NHRIs

- ✓ Monitoring laws, policies, and processes to ensure legal actions to protect the R2HE can be taken, including by providing wide access to environmental justice for individuals, affected communities, and other organizations, and by actively identifying and removing practical obstacles such as prohibitively high legal costs.
- ✓ Monitoring laws, policies, and processes in relation to remedies for environmental harms, including by providing the courts with injunctive and other powers to prevent environmental harms, to provide affected individuals and communities with effective remedies for the injustice experienced, and powers to hold perpetrators of environmental injustice accountable.

The table below provides guidance on sources of information that you can use to map access to environmental justice in your country.

LEVEL INTERNATIONAL



- ↳ Recommendations under the UPR, Human Rights Treaty Bodies, and from Special Procedures mandate holders related to access to justice in environmental matters.
- ↳ Decisions or reports under the Aarhus Convention.

**Case-law, findings, or reports from regional institutions monitoring access to environmental justice, including**

- ↳ Decisions or guidance from regional human rights systems, including the AfCtHR, the IACtHR, the ECtHR, and the corresponding regional commissions on human rights.
- ↳ Decisions or reports under the Escazú Agreement.

**Available reports or other sources of information that relate to access to environmental justice, including**

- ↳ Legal awareness and public information on environmental issues and decisions, in particular for groups at heightened risk of marginalization and vulnerability.
- ↳ Number of legal cases related to environmental issues, including in relation to both the substantive and procedural elements of the R2HE.
- ↳ Legal basis of environmental-related cases, including whether they have legal basis in constitutional, civil, criminal, or administrative law.
- ↳ Information and related data on the outcome of such environmental cases, including insights into how the outcomes were arrived at.
- ↳ Information related to the enforcement of judgments relating to the environment.
- ↳ Assessments of access to justice by communities at heightened risk of marginalization or vulnerability.
- ↳ Number and outcomes of SLAPP suits.
- ↳ Number and outcomes of cases relating to the protection of EHRDs.

Guidance for NHRIs

- ✓ Monitoring empirical data on environmental litigation, including case volumes, judicial outcomes, and the enforcement of decisions, to evaluate the practical effectiveness of access to justice pathways and ensure they remain open and responsive to emerging environmental issues.
- ✓ Monitoring environmental cases brought and actions taken by people at heightened risk of marginalization or vulnerability to actively identify and address any systemic barriers they face in seeking justice, including women and girls, people in poverty, Indigenous Peoples, older persons, children, persons with disabilities, and migrants.
- ✓ Monitoring the practical enforcement of accountability measures against public and private entities, including the collection of fines and fees, the impact of deterrents, and the use of injunctions or mandatory orders.

- ✓ Monitoring any incidents of killings, physical attacks, threats, intimidation, harassment, penalization, persecution against EHRDs, CSOs and other actors to ensure their safety, protect civic space, and combat impunity for perpetrators.
- ✓ Monitoring the provision of redress for environmental injustices to ensure that victims, including EHRDs, receive timely, adequate, and effective remedies.

Resources

- ↳ **Right to a Healthy Environment Toolkit (NYU, UNEP)**: a database to map the legal recognition of the right and to analyze significant R2HE case law and developments.
- ↳ **Aarhus Clearinghouse jurisprudence database**: a database of national case law related to the implementation of the Aarhus Convention.
- ↳ **Global Environmental Crime Tracker**: detailed and verified information about different types of international environmental crime.

Part 4

NEXT STEPS



4.1 ACTIONS BASED ON MONITORING

Monitoring the R2HE, or individual elements of it, will provide a basis on which to carry out further activities and actions to advance the R2HE.

4.1.1

Advisory and Legislative Engagement

- ↳ Assess risks of environmental degradation, rights violations or abuses, and advise state and other actors on how to respond in accordance with international human rights standards, including the R2HE.
- ↳ Highlight gaps and recommend legal, policy, and institutional reforms to implement the R2HE while ensuring participation, access to information, and access to justice in the implementation of such reforms.

4.1.2

Investigations, Inquiries, and Complaints Handling

- ↳ Investigate complaints brought by individuals and communities to ensure accountability, access to justice, and effective remedies for R2HE violations and abuses.
- ↳ Carry out 'spot checks' or surveys in high-risk areas to ensure real-time assessment and timely intervention against ongoing environmental harms.
- ↳ Initiate investigations of potential violations or abuses of the R2HE by engaging with affected individuals and communities, particularly those at heightened risk of marginalization or vulnerability, to ensure lived experiences and perspectives shape analysis and recommendations.
- ↳ Identify areas with risks or violations of the R2HE, including designating areas of high pollution as 'sacrifice zones' or areas of concern for pollution.
- ↳ Conduct consultations, capacity building, or training work with communities impacted by violations of the R2HE to support them in taking actions in response.

4.1.3

Promotion, Awareness, and Capacity Development

- ↳ Develop training materials and deliver capacity programmes for public officials, lawyers, the judiciary, businesses, and communities on the R2HE and human-rights-based approach to environmental protection.
- ↳ Support schools and universities, including law and judicial schools, to integrate the R2HE into curricula and capacity programmes.

4.1.4

Multi-Stakeholder Dialogue and Cooperatio

- ↳ Collaborate with other actors, particularly Indigenous Peoples, academia and CSOs, as well as technical and scientific bodies, to analyze the findings from monitoring efforts and establish R2HE and other human rights risks and impacts.
- ↳ Establish or participate in multi-stakeholder consultations or platforms to track follow-up on NHRI recommendations and promote transparency and accountability in environmental protection.

- ↳ Engage local and community-based actors, ensuring that persons and groups at heightened risk of marginalization or vulnerability have a meaningful role in following up on the recommendations made.
- ↳ Engage in joint advocacy with CSOs or rights-holders to address R2HE risks or impacts identified.

4.1.5

International and Regional Engagement

- ↳ Incorporate evidence-based perspectives from monitoring into submissions to the UN Human Rights Council, UN Special Procedures, Human Rights Treaty Bodies, and international and multilateral environmental and human rights processes (e.g. UNFCCC, CBD, UNCCD). Engagement with the UPR is a particularly important entry point, as it is a Charter-based mechanism that applies to all UN Member States, regardless of whether they are parties to specific human rights treaties. Climate-related recommendations in the UPR have doubled from the second to the third UPR cycles, so actions in this regard will strengthen visibility, coherence, and accountability in the global human rights and environment agenda.
- ↳ Collaborate with UN Country Teams and specialized agencies, including TPP partners (UNDP and OHCHR), and provide technical support for the TPP, UNEP, to both leverage their monitoring capacities and available data, and plan joint and coordinated actions to address monitoring findings, to ensure that national assessments are corroborated by independent international sources and grounded in the best available science.
- ↳ Leverage the UN's convening power and strategic partnerships with the government to facilitate high-level dialogue and information exchange, to ensure that both critical environmental data held by state authorities are transparently disclosed and integrated into human rights monitoring frameworks, and monitoring findings inform public environmental policy and practice.
- ↳ Promote implementation of international and regional recommendations, including human rights recommendations, at the national level by coordinating follow-up with authorities and civil society, and by integrating relevant commitments into ongoing NHRI monitoring frameworks.

4.1.6

Remedies and Protection

- ↳ Follow up on implementation of NHRI and international recommendations relating to legislation and policy, promoting accountability and public reporting on progress or persistent gaps.
- ↳ Use investigation outcomes to promote accountability, issuing public findings or recommendations, and follow up with competent authorities to ensure remedial and preventive action.
- ↳ Where patterns of exclusion or discrimination are observed, particularly historic or systemic against groups at heightened risk of marginalization and vulnerability, issue public statements or advice to promote corrective action and strengthen the state's overall monitoring framework.

4.1.7

GANHRI and Regional Networks

- ↳ Share experiences and good practices through GANHRI and regional networks to build a collective global voice on environmental human rights and to identify common trends and challenges across regions.

