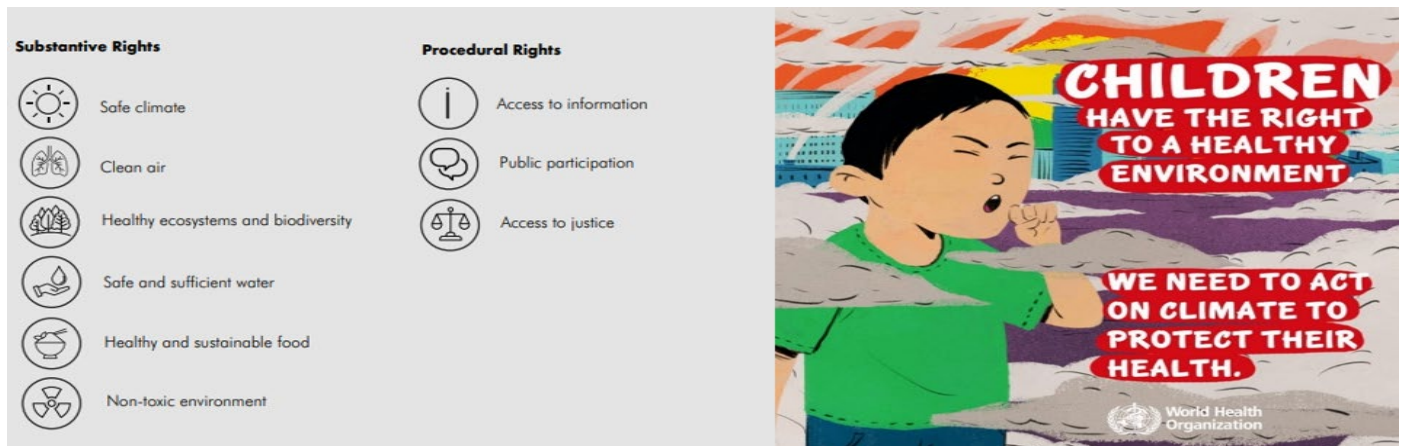


## THE RIGHT TO A HEALTHY ENVIRONMENT

### What is the right to a healthy environment?

On 28 July 2022, the General Assembly (GA) adopted a landmark resolution recognizing the human right to a healthy environment. The GA is the principal policy-making body of the United Nations (UN). It has universal membership of all 193 UN Member States and is mandated to consider new human rights issues. While there is not a universally agreed definition of the right to a healthy environment, the right is generally understood to include substantive and procedural elements. This fundamental human right is now recognised in law by more than 80 percent of United Nations Member States (156 out of 193).



### Objective

Recognition of the right to a healthy environment by the United Nations aims to encourage countries to incorporate the right to a healthy environment into domestic legislative frameworks and encourages the establishment of regional treaties.

### Significance

- Increased understanding of how environmental degradation threatens the enjoyment of all human rights.
- Increased legal acknowledgment of the right to a healthy environment in countries that do not recognize the right yet – for instance, presenting a starting point for constitutional and/or legislative reform to recognize the right to a healthy environment.
- Increased awareness of the need to address the environment at the societal level.
- Strengthen implementation and enforcement in countries where the right is already recognised.
- Strengthen mechanisms to guarantee the protection of environmental human rights defenders.
- Enhanced responsibilities for the private sector to respect the human right to a healthy environment including throughout their supply chains and human rights due diligence.

### Who is responsible for the right to a healthy environment?

The duty to uphold the right to a healthy environment lies first and foremost with States who have an obligation to respect, protect and fulfil all human rights. At the same time, everyone has an important role to play in making the right to a healthy environment a reality.

- **States** – States have an obligation to cooperate internationally to realise the right to a healthy environment for all people. States may adopt multilateral environmental and human rights agreements, on issues related to a healthy environment, its protection, and its impact on the enjoyment of wide range of rights. This involves adopting appropriate constitutional, legislative and policy reforms as well as supporting efforts to ensure a healthy environment for all.
- **Individuals** – As right holders, individuals, including young people, play a crucial role in the realisation of the right to a healthy environment for present and future generations. They do this by participating in environmental decision-making processes and holding decision-makers and businesses to account through mobilization, complaints to oversight bodies and litigation.

*To find a health or mental health practitioner who is climate aware, you can search for a Climate Aware Practitioner on the Climate Aware Practitioner Directory (<https://www.psychologyforasafeclimate.org/cap-directory/>)*

## GETTING INVOLVED: YOU HAVE A RIGHT TO PARTICIPATE

### **DID YOU KNOW THAT YOU HAVE A HUMAN RIGHT TO BE LISTENED TO AND TAKEN SERIOUSLY, EVEN WHEN YOU ARE UNDER 18?**

In our society children don't have as much social and political power as adults, because you don't have the right to vote until you turn 18. But Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) says that all children have the human right to have their opinions heard and taken seriously. The UNCRC also makes it clear that even when you're under 18, all human rights apply to you as much as they do to adults. Australia has signed and ratified the UNCRC which means that our federal, state and territory governments have a legal duty to ensure that all children in Australia enjoy the right to participate.

**This means that you have a legal right to get involved and have your voice heard on the issues that matter to you.**

#### **You should:**

- Be given the information you need to make good decisions.
- Be given the opportunity to freely express your views and have your opinions taken seriously when people make decisions about things that involve you.
- Not have your views dismissed out of hand, just because you're not 18 yet.

So, if something impacts you – like your ability to access a healthy environment – then you have the right to participate in government decision making about laws and policies that affect your rights. Article 15 of the CRC also says you have the right to meet with other young people and join groups and organisations as long as this doesn't stop other people from enjoying their rights.

### **ADD YOUR VOICE TO THE CALL FOR A HUMAN RIGHTS ACT FOR NEW SOUTH WALES**

The campaign for a Human Rights Act for NSW (hra4nsw) is calling on the New South Wales Government to pass a law that protects everyone's basic rights and freedoms including the special human rights belonging to children and young people under the UN Convention on the Rights of the Child. We want children and young people to join the conversation about protecting and promoting human rights in NSW.

**We want you to be heard and to have your views taken seriously. We have lots of ways to help you participate. You can head to <http://www.humanrightsforNSW.org> and:**

1. Sign the petition for a #hra4nsw.
2. Use our super-fast and easy form to send an email to your local NSW member of parliament telling them why it's important to you that they take action to support a #hra4nsw.
3. Get in touch with us by email: [humanrightsactforNSW@gmail.com](mailto:humanrightsactforNSW@gmail.com) Please ask us any questions you have and tell us your views. We promise we will listen and take them seriously.

We would also love to hear from you if you want to take action in your local community to raise awareness of how a Human Rights Act would benefit children and young people.

**You can also follow us and join in the conversation on social media.**



@hra4nsw



@HumanRights4NSW



**CENTRE FOR LAW  
AND SOCIAL JUSTICE**