

Towards an explicit legal recognition of the link between human health and biodiversity

An Cliquet

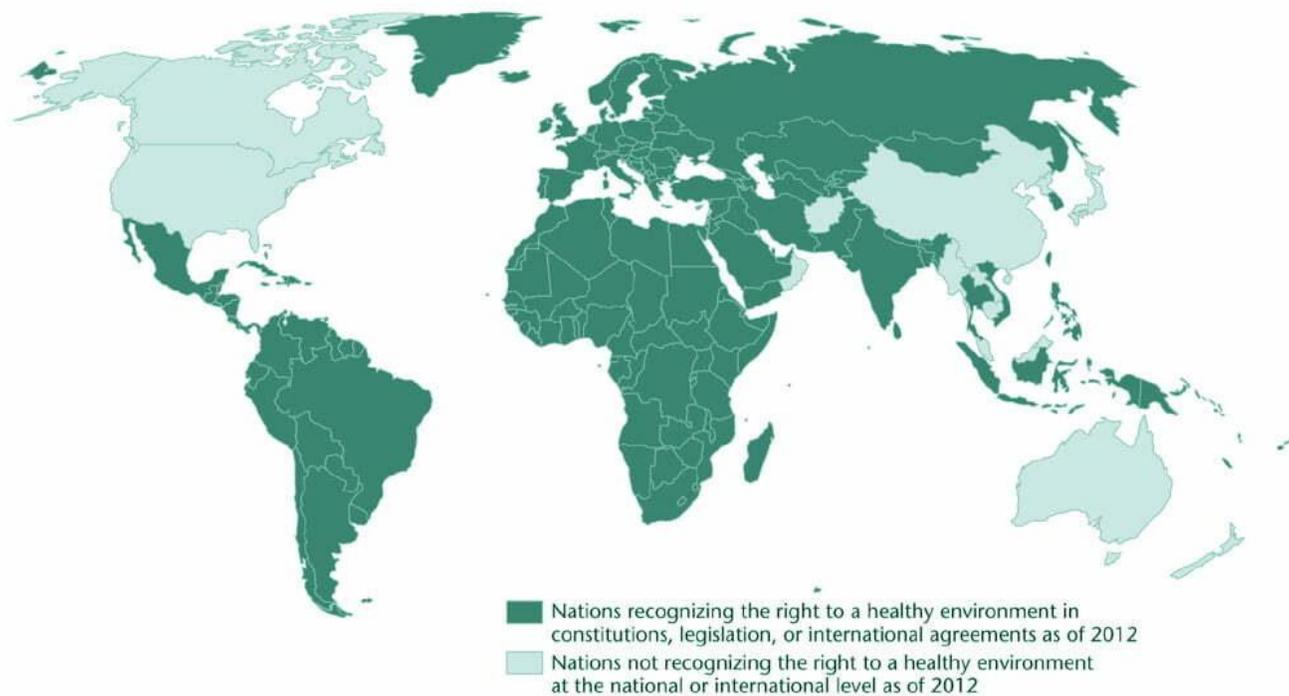
Alternet Conference, Ghent, 15 June 2022



Human health and the environment



Right to a healthy environment



Over 150 countries have legally recognized the human right to a healthy environment



Right to a healthy environment

- UN Special rapporteurs on human rights and the environment (John Knox (2012-2018); David Boyd (2018-now))
- Several reports from Special Rapporteurs (climate change, clean air, children's rights, biodiversity...)
- Report 2018: Framework principles on human rights and the environment

FRAMEWORK PRINCIPLES ON HUMAN RIGHTS AND THE ENVIRONMENT

2018 | The main human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment.

1

States should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfil human rights.

2

States should respect, protect and fulfil human rights in order to ensure a safe, clean, healthy and sustainable environment.

- 4 Human rights and environmental protection are interdependent. A safe, clean, healthy and sustainable environment is necessary for the full enjoyment of human rights, including the rights to life, to the highest attainable standard of physical and mental health, to an adequate standard of living, to adequate food, to safe drinking water and sanitation, to housing, to participation in cultural life and to development, as well as the right to a healthy environment itself, which is recognized in regional agreements and most national constitutions.¹ At the same time, the exercise of human rights, including rights to freedom of expression and association, to education and information, and to participation and effective remedies, is vital to the protection of the environment.

- 5 The obligations of States to respect human rights, to protect the enjoyment of human rights from harmful interference,² and to fulfil human rights by working towards their full realization³ all apply in the environmental context. States should therefore refrain from violating human rights through causing or allowing environmental harm; protect against harmful environmental interference from other sources, including business enterprises, other private actors and nat-

human rights depends. While it may not always be possible to prevent all environmental harm that interferes with the full enjoyment of human rights, States should undertake due diligence to prevent such harm and reduce it to the extent possible, and provide for remedies for any remaining harm.

- 6 At the same time, States must fully comply with their obligations in respect of human rights, such as freedom of expression, that are exercised in relation to the environment. Such obligations not only have independent bases in human rights law; they are also required in order to respect, protect and fulfil the human rights whose enjoyment depends on a safe, clean, healthy and sustainable environment.

1. See Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, art. 1; African Charter on Human and Peoples' Rights, art. 24; Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, art. 11; Arab Charter on Human Rights, art. 38; and ASEAN Human Rights Declaration, art. 28. More than 100 States have recognized the right at the national level.

2. See, for example, Human Rights Committee, general comment No. 6 (1982) on the right to life, para. 5.

3. See, for example, Committee on Economic, Social and Cultural Rights, general comment No. 14 (2000) on the right to the highest attainable standard of health, para. 33.



Right to a healthy environment

UN Human Rights Council: recognized the right to a healthy environment (resolution 8 October 2021)

Live Now: For special coverage on the crucial COP26 climate conference starting Sunday, click here.

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Access to a healthy environment, declared a human right by UN rights council



© UNICEF/Josue Mulala | Trees are being planted in the Democratic Republic of the Congo to help fight climate change.

8 October 2021 | [Climate and Environment](#)

The [Human Rights Council](#) recognised this Friday, for the first time, that having a clean, healthy and sustainable environment is a human right.

In resolution 48/13, the Council called on States around the world to work together, and with other partners, to implement this newly recognised right.

The text, proposed by Costa Rica, the Maldives, Morocco, Slovenia and Switzerland, was passed with 43 votes in favour and 4 abstentions - from Russia, India, China and Japan.

At the same time, through a second resolution (48/14), the Council also increased its focus on the human rights impacts of climate



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Human Rights Council

Forty-eighth session

13 September–8 October 2021

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Armenia,* Bhutan,* Bosnia and Herzegovina,* Cabo Verde,* Chile,* Costa Rica,* Croatia,* Cyprus,* Dominican Republic,* Ecuador,* Fiji, Finland,* Germany, Greece,* Haiti,* Honduras,* Italy, Luxembourg,* Maldives,* Marshall Islands, Mexico, Monaco,* Montenegro,* Morocco,* Namibia, North Macedonia,* Panama,* Portugal,* San Marino* Slovakia,* Slovenia,* Spain,* Switzerland,* Tunisia,* Uruguay and Vanuatu*: draft resolution

48/... The human right to a safe, clean, healthy and sustainable environment

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the Declaration on the Right to Development, relevant international human rights treaties and other relevant regional human rights instruments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated,

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development," in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets,

Recalling also States' obligations and commitments under multilateral environmental instruments and agreements, including on climate change, and the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document entitled "The future we want",¹ which reaffirmed the principles of the Rio Declaration on Environment and Development,

Recalling further all its resolutions on human rights and the environment, the most recent of which are resolutions 45/17 of 6 October 2020, 45/30 of 7 October 2020 and 46/7 of 23 March 2021, and relevant resolutions of the General Assembly,

Recognizing that sustainable development, in its three dimensions (social, economic

Right to a
healthy
environment
in court





Paraguay must act on human rights violations from agrochemical spraying



August 20th, 2019

The UN Human Rights Committee has issued one of the most important environmental decisions to date, calling on the Paraguayan government to undertake an investigation into the poisoning of citizens and contamination of water, soil, and food by agrochemicals fumigation.

In a [landmark decision](#) published last Wednesday, the Committee urged Paraguay to prosecute those responsible, to make full reparation to victims, and to publish its decision in a daily newspaper with a large circulation. The Committee has requested Paraguay to report back within 180 days detailing the measures it had been taken to implement the decision.

Human Rights Committee

Human Rights Committee (International Covenant on Civil and Political Rights), *Portillo Cáceres v. Paraguay*, 9 August 2019:

Paraguay was found responsible for failing to protect individuals from severe environmental contamination by use of illegal chemicals by large scale farms



Inter-American Court of Human Rights

Advisory opinion of Inter-American Court of Human Rights, 7 February 2018:

Court affirmed the existence of a right to live in a healthy environment

Right to a healthy environment is an autonomous right, different from environmental implications of other rights (right to life, right to health...)



European Court of Human Rights

The right to a healthy environment has been indirectly invoked under the European Convention on Human Rights through the right to life (Art. 2 ECHR) and the right to respect for private and family life and home (Art. 8 ECHR)

Human health and climate change





THE URGENDA CLIMATE CASE AGAINST THE DUTCH GOVERNMENT

History is written. On 20 December 2019 the Dutch Supreme Court states that the Dutch government must reduce emissions immediately in line with its human rights obligations. A historic victory for climate justice.

LANDMARK DECISION BY DUTCH SUPREME COURT

On 20 December 2019, the Dutch Supreme Court, the highest court in the Netherlands, upheld the previous decisions in the Urgenda Climate Case, finding that the Dutch government has obligations to urgently and significantly reduce emissions in line with its human rights obligations. A truly historic outcome!

An English translation of the judgement is available [here](#).

The Urgenda Climate Case against the Dutch Government was the first in the world in which citizens established that their government has a legal duty to prevent dangerous climate change. On 24 June 2015, the District Court of The Hague ruled the government must cut its greenhouse gas emissions by at least 25% by the end of 2020 (compared to 1990 levels). The ruling required the government to immediately take more effective action on climate change.

The District Court's decision was appealed by the State and upheld by the Court of Appeal on 9 October 2018. Following this judgment, the State appealed to the Supreme Court. The Supreme Court ruled in favour of Urgenda on 20 December 2019. Read Urgenda's press release [here](#), the press release of the Supreme Court [here](#) and an explanation of the case by the press Justice to the Supreme Court [here](#).

In a reflection of the international significance of the case, the UN High Commissioner for Human Rights has also published a [news release](#) about the decision in which she notes that "the decision confirms that the Government of the Netherlands and, by implication, other governments have binding legal obligations, based on international human rights law, to undertake strong reductions in emissions of greenhouse gases."

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People Have A Fundamental Right To Be Protected From Climate Change, A Landmark Court Ruling Says

The Dutch Supreme Court's decision could have huge repercussions for how other countries tackle rising emissions.



J. Lester Feder
BuzzFeed News Reporter

Updated on December 20, 2019, 12:18 pm
Posted on December 20, 2019, 11:13 am

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Dutch Supreme Court

Urgenda Case: Supreme Court confirms a violation of human rights (violation of articles 2 and 8 ECHR)

Human health and biodiversity



Connecting Global Priorities: Biodiversity and Human Health

A State of Knowledge Review



Convention on
Biological Diversity



World Health
Organization

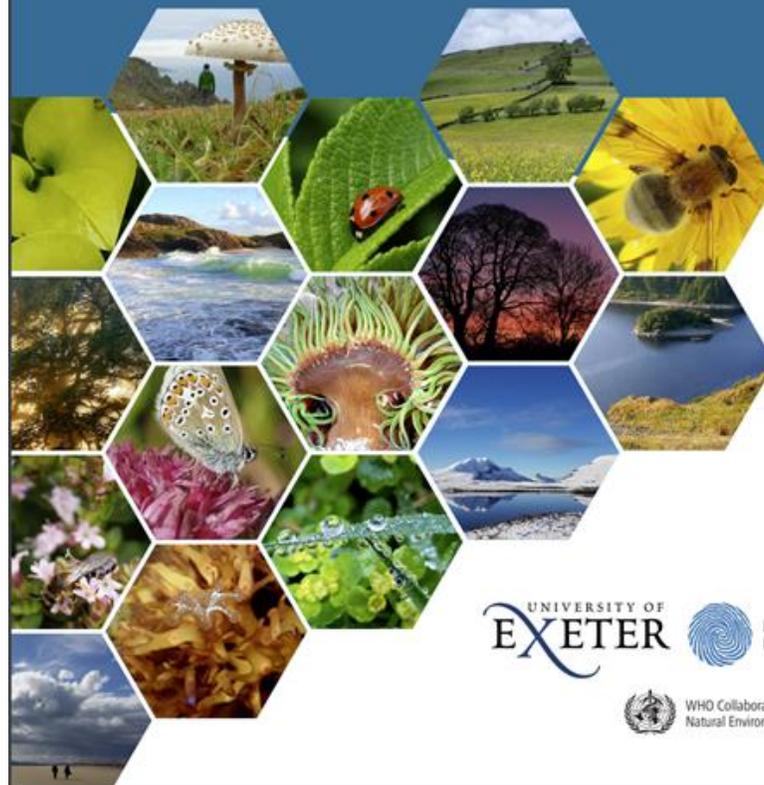


World Health
Organization

REGIONAL OFFICE FOR
Europe

Nature, Biodiversity and Health:

AN OVERVIEW OF
INTERCONNECTIONS



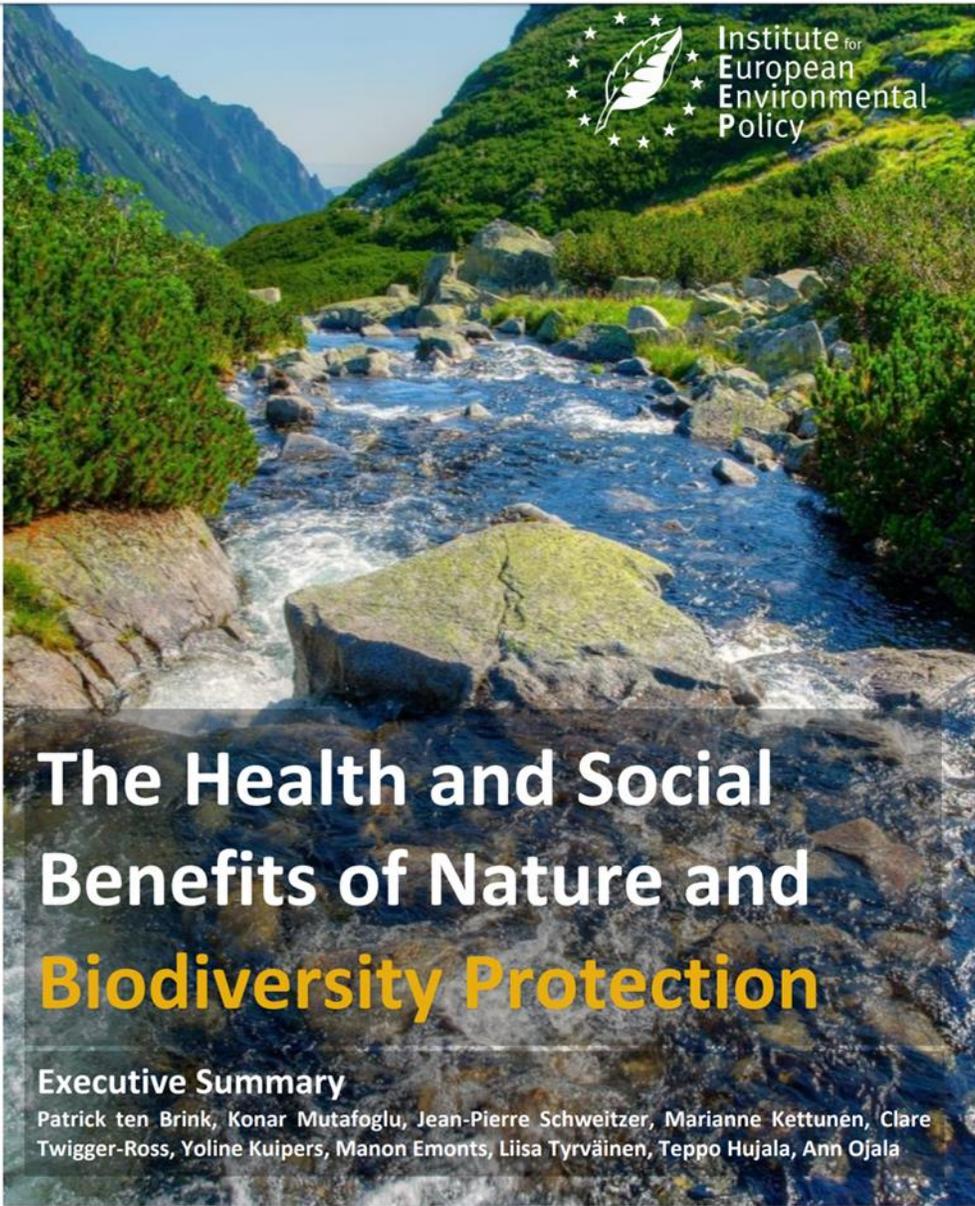
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European Centre for
Environment & Human Health



WHO Collaborating Centre on
Natural Environments and Health



The Health and Social Benefits of Nature and Biodiversity Protection

Executive Summary

Patrick ten Brink, Konar Mutaoglu, Jean-Pierre Schweitzer, Marianne Kettunen, Clare Twigger-Ross, Yoline Kuipers, Manon Emonts, Liisa Tyrväinen, Teppo Hujala, Ann Ojala



Vital Sites



The contribution
of protected areas
to human health



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Ecosystem Services

journal homepage: www.elsevier.com/locate/ecoser



Exploring connections among nature, biodiversity, ecosystem services, and human health and well-being: Opportunities to enhance health and biodiversity conservation[☆]



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ABSTRACT

We are at a key juncture in history where biodiversity loss is occurring daily and accelerating in the face of population growth, climate change, and rampant development. Simultaneously, we are just beginning to appreciate the wealth of human health benefits that stem from experiencing nature and biodiversity. Here we assessed the state of knowledge on relationships between human health and nature and biodiversity, and prepared a comprehensive listing of reported health effects. We found strong evidence linking biodiversity with production of ecosystem services and between nature exposure and human health, but many of these studies were limited in rigor and often only correlative. Much less information is available to link biodiversity and health. However, some robust studies indicate that exposure to microbial biodiversity can improve health, specifically in reducing certain allergic and respiratory diseases. Overall, much more research is needed on mechanisms of causation. Also needed are a re-envisioning of land-use planning that places human well-being at the center and a new coalition of ecologists, health and social scientists and planners to conduct research and develop policies that promote human interaction with nature and biodiversity. Improvements in these areas should enhance human health and ecosystem, community, as well as human resilience.

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Recognition of
human health
and
biodiversity in
biodiversity law



BIODIVERSITY AND HEALTH

BIODIVERSITY AND HEALTH

ABOUT BIODIVERSITY AND HEALTH

- > What are the Linkages between Biodiversity and Health?
- > Why is it Important?
- > What's the Problem?
- > What Needs to be Done?

PROGRAMME

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- > Health & Biodiversity Co-benefits : Aichi target summary table
- > COP Decisions
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- > Q&A on Infectious Diseases

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- > State of Knowledge Review

BIODIVERSITY AND HEALTH AT THE 14TH CONFERENCE OF THE PARTIES (COP 14)

BIODIVERSITY AND HEALTH AT THE 14TH CONFERENCE OF THE PARTIES

IMPLEMENTATION

BIODIVERSITY AND HEALTH

WEDNESDAY // 4.6.2022



Biodiversity and Health

Biodiversity provides ecosystem goods and services essential to human health and well-being

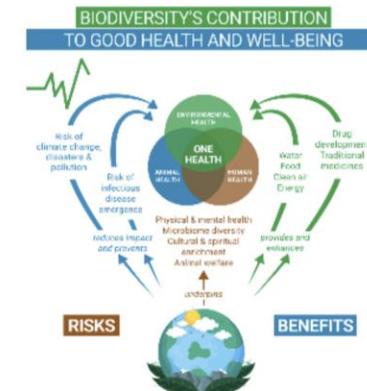


Health is a fundamental human right and a key indicator of sustainable development, and has a central place in the Sustainable Development Goals (SDGs) agenda, with Goal 3 calling on all stakeholders to “ensure healthy lives and promote wellbeing for all at all ages”. In addition to socio-economic determinants of human health, the impact of environmental, climate, ecosystem change and degradation on health is increasingly recognized.



Biodiversity underpins nature's contributions to people and provides ecosystem goods and services that are essential to human health and well-being. Biodiversity is also integral to key development sectors that modulate health outcomes directly or indirectly, such as pharmacy, biochemistry, agriculture, or tourism.

Over the last decade, the multiplicity and complexity of linkages between biodiversity and human health have been increasingly recognized.





Convention on Biological Diversity

Distr.
GENERAL

CBD/COP/DEC/14/4
30 November 2018

ORIGINAL: ENGLISH

CONFERENCE OF THE PARTIES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY
Fourteenth meeting
Sharm-El-Sheikh, Egypt, 17-29 November 2018
Agenda item 22

DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

14/4. Health and biodiversity

The Conference of the Parties,

Recalling decisions XII/21 on health and biodiversity,

Recalling decisions XIII/3, in which it considered the mainstreaming of biodiversity in the sectors of agriculture, forestry, fisheries and tourism as well as cross-cutting issues, and in which it decided to address, at its fourteenth meeting, the mainstreaming of biodiversity into the sectors of energy and mining, infrastructure, manufacturing and processing, and health,

Recognizing that the health sector, on the one hand, depends on biodiversity and the ecosystem functions and services that biodiversity underpins, and that the loss of biodiversity can impact the health sector negatively, and that, on the other hand, the health sector has potential impacts on biodiversity which may threaten the provision of ecosystem functions and services that are vital to humanity,

Stressing that mainstreaming biodiversity in the health sector is essential for halting the loss of biodiversity and for the achievement of the Strategic Plan for Biodiversity 2011-2020¹ and the goals and objectives of different multilateral agreements and international processes, including the 2030 Agenda for Sustainable Development and the Sustainable Development Goals,²

Recognizing that, while policies and tools exist to address the conservation and sustainable use of biodiversity, there are still opportunities to mainstream biodiversity in the health sector, including in relation to strategic planning, decision-making and, economy-wide and sector-wide policies,

Recalling decision XIII/6 on health and biodiversity and the importance of this decision to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the Sustainable Development Goals,

Welcoming United Nations Environment Assembly resolution [3/4](#) on environment and health,

Noting the reports issued by the Regional Office for Europe of the World Health Organization entitled *Urban Green Spaces and Health: A Review of Evidence* (2016) and *Urban Green Space Interventions and Health: A Review of Impacts and Effectiveness* (2017),



Convention on Biological Diversity

Distr.
GENERAL

CBD/WG2020/3/3
5 July 2021

ORIGINAL: ENGLISH

OPEN ENDED WORKING GROUP
ON THE POST-2020 GLOBAL
BIODIVERSITY FRAMEWORK
Third meeting
Online, 23 August – 3 September 2021
Item 4 of the provisional agenda*

FIRST DRAFT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Note by the Co-Chairs

1. In decision [14/34](#), the Conference of the Parties set out the process for developing a post-2020 global biodiversity framework, established the Open-ended Working Group on the Post-2020 Global Biodiversity Framework to support this process and designated its Co-Chairs. Subsequently, the Working Group at its first meeting requested the Co-Chairs and the Executive Secretary, with the oversight of the Bureau of the Conference of the Parties, to continue the preparatory process in accordance with decisions [14/34](#), [CP-9/7](#) and [NP-3/15](#), and to prepare documentation, including a zero draft text of the post-2020 global biodiversity framework¹ for consideration by the Working Group at its second meeting. Pursuant to these requests, a zero draft of the post-2020 global biodiversity framework was issued for consideration by the Working Group at its second meeting ([CBD/WG2020/2/3](#)).
2. The Working Group at its second meeting considered the zero draft of the post-2020 global biodiversity framework and requested the Co-Chairs and the Executive Secretary, with the oversight of the Bureau, to prepare a document updating those elements of the draft framework that had been reviewed by the Working Group,² taking into account the annex to the outcomes of the meeting and the submissions received in response to notification 2019-108,³ and to make it available at least six weeks before the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice. Pursuant to these requests, an updated zero draft was issued ([CBD/POST2020/PREP/2/1](#)).
3. The Working Group at its second meeting further requested the Co-Chairs and the Executive Secretary, under the oversight of the Bureau, to prepare a first draft of the global biodiversity framework, taking into account the conclusions adopted by the Working Group as contained in the report on its second meeting ([CBD/WG2020/2/4](#)), as well as ongoing consultation processes, the outcomes of the Ad Hoc Technical Expert Group on Digital Sequence Information, the outcome of the twenty-fourth meeting of the Subsidiary Body on Scientific Technical and Technological Advice and the outcome of the third meeting of the Subsidiary Body on Implementation, and to make it available six weeks before the third meeting of the Working Group.
4. Pursuant to the above request, the annex to the present document contains the first draft of the post-2020 global biodiversity framework, which takes into account the outcomes of the virtual meetings of

* CBD/WG2020/3/1.

¹ The term “post-2020 global biodiversity framework” is used in the present document as a placeholder, pending a decision on the final name of the framework at the fifteenth meeting of the Conference of the Parties. Similarly, the word “framework” is used throughout the text as a placeholder.

² See CBD/WG2020/REC/2/1.

³ The submissions received are accessible from <https://www.cbd.int/conferences/post2020/submissions/2019-108>

Ramsar Technical Report No. 6



Healthy wetlands, healthy people

A review of wetlands and human health interactions

Pierre Horwitz, C. Max Finlayson, Philip Weinstein



**11th Meeting of the Conference of the Parties to the
Convention on Wetlands (Ramsar, Iran, 1971)**

“Wetlands: home and destination”

Bucharest, Romania, 6-13 July 2012

Resolution XI.12

Wetlands and health: taking an ecosystem approach

1. RECALLING Resolution X.3, *The Changwon Declaration on Human Well-being and Wetlands*, Resolution X.23, *Wetlands and human health and well-being*, and Resolution X.21, *Guidance on responding to the continued spread of highly pathogenic avian influenza*, each of which called for an integrated approach to addressing health issues in wetlands, and ALSO RECALLING that Resolution IX.1 Annex A defined the “wise use” of wetlands as “the maintenance of their ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development”;
2. AWARE of relevant recent initiatives and developments, including the United Nations General Assembly’s 2010 recognition of the right to safe and clean water and sanitation as a human right; the Libreville Declaration on Health and Environment in Africa in 2008; the Convention for Biological Diversity (CBD) Decision X/20 calling for collaboration with the World Health Organization (WHO) on biodiversity and health; the work agenda of the Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes; the tripartite strategic alignment between the Food and Agriculture Organisation of the United Nations, World Organisation for Animal Health (OIE), and WHO to address health risks at the human-animal-ecosystems interface; and the continuing relevance to wetland management of the Health Synthesis report of the Millennium Ecosystem Assessment (MA);
3. ALSO AWARE that Resolution 9.8 of the Convention on Migratory Species (CMS) called for fully integrated approaches, at both national and international levels, to addressing diseases of domestic livestock and wildlife, recognizing the direct and indirect benefits to human, wildlife and domesticated livestock health from such activities;
4. ACKNOWLEDGING that a “One Health” movement recognizes the inextricable connections between humans, pet animals, livestock and wildlife (both plants and animals) and their social and ecological environment; NOTING that the “Ecohealth” movement involves researchers, human and animal health practitioners, and communities motivated by the inherent interdependence of human health, biodiversity, and ecosystems; AWARE that both of these movements place disease dynamics in the broader contexts of sustainable agriculture, socio-economic development, environment protection and sustainability, and the complex patterns of global change (*inter alia* the increasing interface

Scientists warn worse pandemics are on the way if we don't protect nature



Failure to act could make pandemics more and more likely.

Image: via REUTERS

This article is published in collaboration with **EcoWatch**

04 May 2020

Jordan Davidson



The World Economic Forum COVID Action Platform



Learn more

- Pandemics like COVID-19 could occur more frequently unless we stop rapidly destroying nature, a group of biodiversity experts has warned.
- 1.7 million unidentified viruses, known to infect humans, are estimated to exist in mammals and water birds.
- Rampant deforestation, agricultural expansion and infrastructure development bring us closer to catching them.

A group of biodiversity experts warned that future pandemics are on the horizon if mankind does not stop its rapid destruction of nature.

Writing an article published Monday by The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the authors put the responsibility for COVID-19 squarely on our shoulders.

Have you read?

[COVID-19: Pakistan's 'green stimulus' scheme is a win-win for the environment and the unemployed](#)

[The EU looks towards green coronavirus recovery](#)

[Here's why trafficking exotic animals will lead to future pandemics](#)

"There is a single species that is responsible for the COVID-19 pandemic – us. As with the climate and biodiversity crises, recent pandemics are a direct consequence of human activity."



CITES Secretariat's statement in relation to COVID-19

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The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is a treaty that regulates international trade in CITES-listed specimens of animals and plants. Therefore, the concerns of the CITES Parties are focused on regulating international trade. Matters regarding zoonotic diseases are outside of CITES's mandate, and therefore the CITES Secretariat does not have the competence to make comments regarding the recent news on the possible links between human consumption of wild animals and COVID-19.

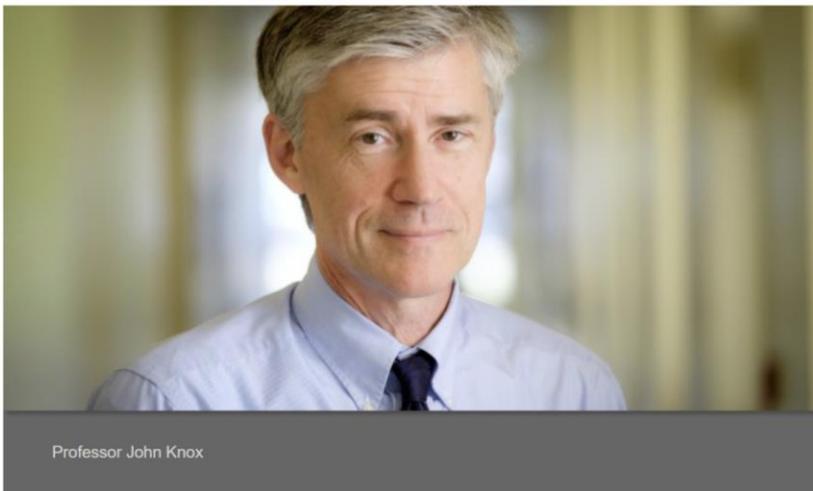
In case of queries regarding zoonotic diseases, we suggest that you refer to those bodies working on these matters such as the [World Organization for Animal Health \(OIE\)](#), the [Food and Agriculture Organization of the United Nations \(FAO\)](#) and other competent bodies and research institutions at both international and national levels.

The CITES Secretariat is aware of the media commentary that is suggesting the possible links between the human consumption of pangolins (or other wild animals) and COVID-19. All species of pangolin are included in CITES Appendix I, which means that international commercial trade is generally prohibited under the Convention. Exchange for non-commercial purposes, such as conservation or law enforcement, can be authorized by CITES Parties. Parties

Recognition of
human health
and
biodiversity in
human rights
law



U.N. Rapporteur and Professor John Knox authors first-ever human rights and biodiversity report



Professor John Knox

Posted: March 21st, 2017 | By: Emily Eisert

[Professor John Knox](#), U.N. Special Rapporteur on Human Rights and the Environment, was featured in The Huffington Post story, "[U.N. Expert: Biodiversity Is Essential To Human Rights](#)," published on March 17, 2017.

The story discusses the first-ever [report](#) on human rights and biodiversity Professor Knox authored and presented at a U.N.'s Human Rights Council meeting earlier this month in Geneva, Switzerland. An excerpt follows:

WASHINGTON — For the first time, a [United Nations](#) report has recognized biodiversity and healthy ecosystems as essential to human rights.

The [report](#), authored by U.N. Special Rapporteur [John Knox](#), a human rights expert and [professor of international law](#) at Wake Forest University, comes amid a biodiversity crisis that many scientists have pegged as the beginning of Earth's sixth mass extinction event.

A/HRC/34/49

Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

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Human rights depend on a healthy biosphere

A/75/161 - Executive summary

**Special Rapporteur on human rights
and the environment, David Boyd**

A/75/161

Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd

Human rights depend on a healthy biosphere

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Failing to protect biodiversity can be a human rights violation – UN experts

25 June 2019

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Media Release: Nature's Dangerous Decline 'Unprecedented'; Species Extinction Rates 'Accelerating'

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Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)



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STATEMENTS

[Intervention of the Special Rapporteur at the Thematic Debate of the General Assembly "Water, Sanitation and Sustainable Energy in the Post-2015 Development Agenda"](#)

GENEVA (25 June 2019) - A group of UN experts* has warned the erosion of nature, the extinction of species and the loss of biological diversity at unprecedented rates severely threatens human rights for present and future generations.

In a statement following the release of a new scientific [report](#) from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the independent experts said they were alarmed at the accelerating loss of biodiversity on which humanity depends. The most comprehensive global assessment of the state of nature found more than one million species are threatened with extinction.

"The loss of global biodiversity is having and will continue to have devastating effects on a wide range of human rights for decades to come. This report is a stark reminder that we can simply not enjoy our basic human rights to life, health, food and safe water without a healthy environment", David Boyd, a UN expert on human rights and the environment, said today.

Failing to protect biodiversity can constitute a violation of the right to a healthy environment, a right that is legally recognised by 155 States and should now be globally recognised as fundamental, they said.



Unsplash/Yasmin Arfaoui

HUMAN RIGHTS AND BIODIVERSITY

Key Messages



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States have these 13 duties when it comes to biodiversity and human rights



Unsplash / Markus Spiske

Unprecedented biodiversity loss, pollution, climate change and the rise of zoonotic diseases have showcased the symbiotic relationship between humans and nature. The human right to a safe, clean, healthy and sustainable environment, as well as other human rights, can only be realized where biodiversity thrives and ecosystems are healthy.

State obligations at the intersection of human rights and biodiversity come from international human rights laws, such as the [International Covenant on Civil and Political Rights \(ICCPR\)](#), the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#) and the [Convention on Biological Diversity \(CBD\)](#). According to these commitments and the responsibilities they encompass, states are obliged to do 13 key things.

Further Resources

[International Covenant on Civil and Political Rights \(ICCPR\)](#)

[International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#)

[Convention on Biological Diversity \(CBD\)](#)

Duties on human rights and biodiversity



1. Address biodiversity and habitat loss and prevent their negative impacts on human rights.
2. Guarantee equality and non-discrimination.
3. Protect the rights of indigenous peoples.
4. Protect environmental human rights defenders.
5. Ensure equity in actions to address biodiversity loss and in the use of the benefits of biodiversity.
6. Ensure meaningful and informed participation, including inland and resource governance.
7. Ensure accountability and effective remedy for human rights harms caused by biodiversity and habitat loss.
8. Protect against business-related human rights harms from biodiversity loss.
9. Ensure regional and international cooperation.
10. Effectively mobilize adequate resources to prevent human rights harms caused by biodiversity loss.
11. Guarantee that everyone enjoys the benefits of science and its applications.
12. Ensure education with respect for nature.
13. Respect and protect nature for all its values.

Human
health and
biodiversity
in court





European Court of Human Rights

Can you invoke human rights violation because of biodiversity loss (e.g. deforestation, or destruction of local wetland for infrastructure works)?

European Court of Human Rights, *Kyrtatos v. Greece* (2003):

“even assuming that the environment has been severely damaged by the urban development of the area, the applicants have not brought forward any convincing arguments showing that the **alleged damage to the birds and other protected species living in the swamp was of such a nature as to directly affect their own rights** under Article 8 § 1 of the Convention.” (emphasis added)

ECtHR, Kyrtatos v. Greece (2003)

“It might have been otherwise if, for instance, the environmental deterioration complained of had consisted in the **destruction of a forest area** in the vicinity of the applicants’ house, a situation which could have affected more directly the applicants’ own well-being.” (emphasis added)



Don't drain the swamp! Why wetlands are so important



From fighting climate change to sheltering birds, wetlands are crucial to the planet's health



Torah Kachur · CBC Radio · Posted: Feb 02, 2017 2:22 PM ET | Last Updated: February 3, 2017





Inter-American Court of Human Rights

INTER-AMERICAN COURT OF HUMAN RIGHTS

ADVISORY OPINION OC-23/17
OF NOVEMBER 15, 2017
REQUESTED BY THE REPUBLIC OF COLOMBIA

THE ENVIRONMENT AND HUMAN RIGHTS

(STATE OBLIGATIONS IN RELATION TO THE ENVIRONMENT IN THE CONTEXT OF
THE PROTECTION AND GUARANTEE OF THE RIGHTS TO LIFE AND TO PERSONAL
INTEGRITY: INTERPRETATION AND SCOPE OF ARTICLES 4(1) AND 5(1) IN
RELATION TO ARTICLES 1(1) AND 2 OF THE AMERICAN CONVENTION
ON HUMAN RIGHTS)

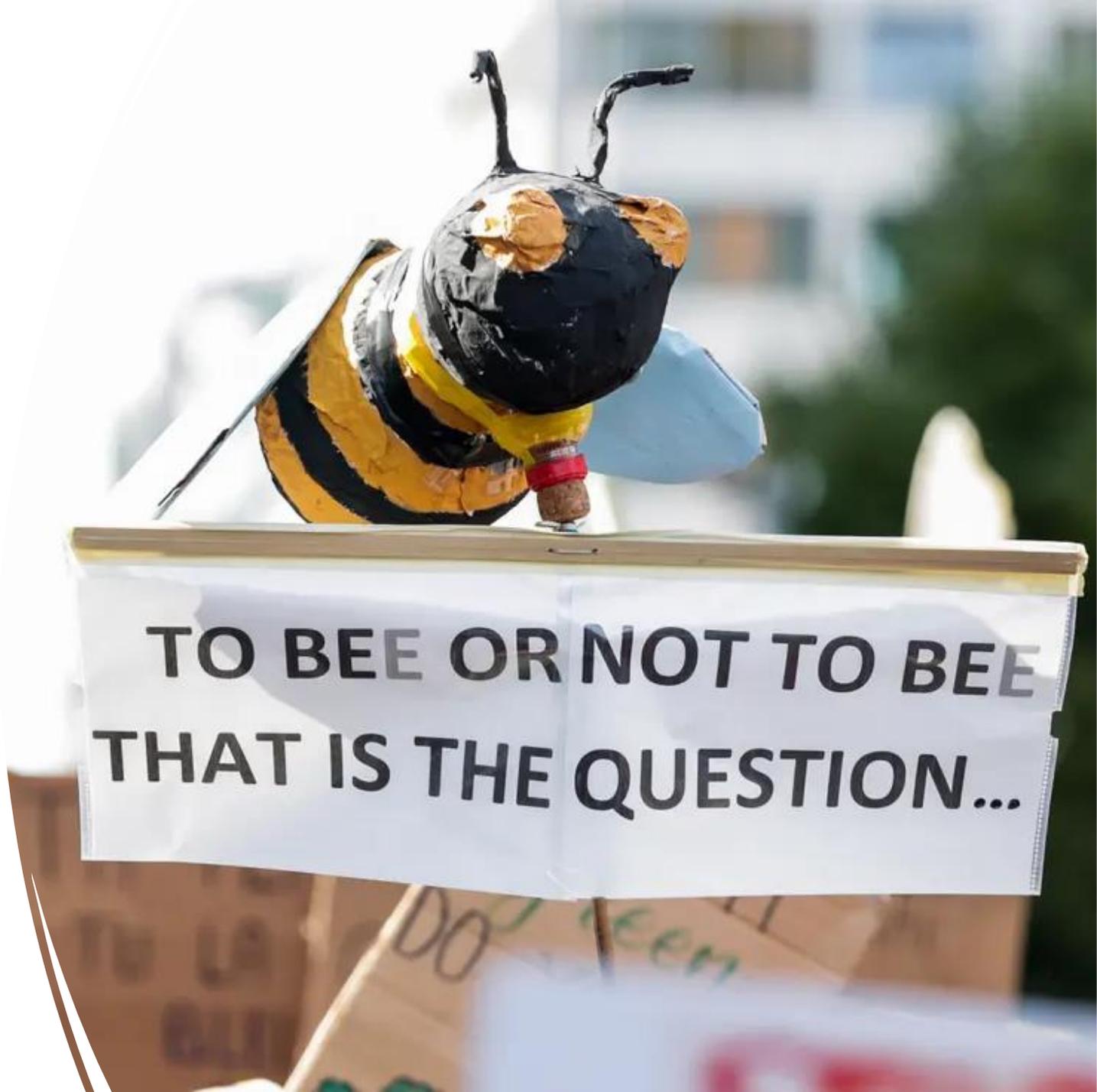
the Inter-American Court of Human Rights (hereinafter “the Inter-American Court” or “the Court”), composed of the following judges:

Roberto F. Caldas, President
Eduardo Ferrer Mac-Gregor Poisot, Vice President
Eduardo Vio Grossi, Judge
Humberto Antonio Sierra Porto Judge

Inter-American Court of Human Rights

IACtHR: “as an autonomous right, the right to a healthy environment (...) protects the components of the environment, such as **forests, rivers and seas, as legal interests in themselves**, even in the absence of the certainty or evidence of a risk to individuals. This means that it protects nature and the environment, not only because of the benefits they provide to humanity or the effects that their degradation may have on other human rights, such as health, life or personal integrity, but **because of their importance to the other living organisms with which we share the planet that also merit protection in their own right**” (emphasis added)

To a better
legal
recognition of
human health
and
biodiversity





Need for a stronger legal link between human health and biodiversity

- Explicit recognition of a human right to a healthy, **biodiverse** environment in a binding law
- Integrate the link between a human right to a healthy environment and biodiversity in decision-making: **addressing problems at source** (e.g. tackling wildlife trade; non-deterioration clauses...)
- **Strategic biodiversity litigation**, using violation of human rights because of biodiversity loss as an argument



Thanks for listening!

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