

STATEMENT FOR RIGHTS AND RIO+20 SIDE EVENT

My name is Alyssa Johl, and I work with the Center for International Environmental Law (CIEL). Thank you to the Office of the High Commissioner for Human Rights for their efforts in organizing this important event.

I have come here today to emphasize that respect for human rights and the environment is an integral element of sustainable development. We are concerned by the actions of certain States to bracket or delete the scarce references to rights. We are also concerned that the outcome document does not yet mention the right to a healthy environment, which is at the core of sustainable development.

I wanted to share some of the lessons we've learned in our work with the Human Rights & Climate Change Working Group that are relevant to the Rio+20 process. For the past few years, we have been working to (1) raise awareness of the human dimensions of climate change, and (2) integrate human rights protections in the climate framework to ensure that mitigation and adaptation activities do not cause social, environmental and human harms. In our work, we have drawn heavily on the human rights and sustainable development frameworks, calling on the Parties to the UNFCCC to recognize their existing human rights obligations in the development and implementation of climate policies and institutions. The same applies here in the context of sustainable development. The Rio Declaration, in particular, established visionary principles that are infused with human rights considerations but many of these principles have yet to be implemented.

Following the last round of informal negotiations, there was serious (and warranted) concern that some countries were trying to strip the few references to human rights and equity from the draft text. And once again, during this week's informals, countries are proposing to delete the only reference to the rights enshrined in the Rio Declaration's Principle 10. These proposals to bracket or outright delete the references to the rights to food, water and development, among others, are not being taken lightly. In response to these threats, both the human rights regime and civil society have mobilized. The UN human rights regime has sent a clear and compelling message to States gathered here in New York – and this message has been echoed loudly by many civil society groups, including the Rights for Sustainability Initiative that is represented by many here today.

Collectively, we are calling on the international community to reaffirm its commitment to international human rights to ensure that sustainable development activities protect rather than threaten the rights of peoples and communities around the world. The outcome document must recognize that human rights obligations apply not only to States, the United Nations, and its specialized agencies, but also to international financial institutions and transnational corporations.

We are also calling on countries to strengthen the linkage between human rights and environment by explicitly reinforcing the right to a healthy environment. The integration of human rights and environment under sustainable development is reflected in the constitutions of more than 140 States that recognize a right to environment in some formulation. Virtually all human rights treaties have been interpreted to address environmental issues, and the case law of all regional human rights bodies has articulated State responsibilities with respect to the environment. In light of these developments, the Human Rights Council in its March session adopted a landmark resolution that establishes a Special Procedure on Human Rights and Environment. This institutional mechanism is explicitly tasked to contribute a human rights perspective to the follow-up processes of Rio+20. For these reasons, Rio+20 cannot ignore the integration between human rights and the environment.

We must also recognize the procedural dimension of the right to a healthy environment. The outcome document must reaffirm the UN's commitment to the rights to access to information, public participation, and access to justice, as articulated in Principle 10 of the Rio Declaration. As proven in practice, effective environmental decisions result from informed civil society participation. Rio+20 provides a critical opportunity to elaborate and operationalize these access rights, by launching negotiations for regional instruments and a global convention on Principle 10.

Finally, we are calling for greater transparency and accountability within the UN system and other international institutions. More specifically, countries must recognize the need for rights-based institutional safeguards -- including safeguard policies, monitoring systems, and grievance mechanisms. At present, some UN agencies (including the UNFCCC and UNDP), the Global Environment Facility, the World Bank and other financial institutions are developing safeguards and accountability processes. However, these processes are happening on a piecemeal basis, completely independent of one another -- it is thus important to harmonize upwards and ensure coherence among these regimes.

Initiatives to reduce emissions from deforestation or forest degradation (known as REDD) illustrate why strong, harmonized safeguards are so critical. As countries prepare for the implementation of REDD programs and projects, they face the challenge of meeting different and varying standards, as required by the various donors involved in REDD. This multitude of REDD safeguards imposes an unreasonable burden on countries. Rio+20 provides an opportunity to consider safeguards within the context of institutional governance as a means to establish enhanced and harmonized safeguard systems that respect human rights and promote sustainable development.

To briefly conclude, I will reiterate that respect for human rights and the environment is an integral element of sustainable development. And in this regard, the right to a healthy environment, in both its substantive and procedural dimensions, is at the core of sustainable development and must be reinforced in the Rio+20 Outcome Document.