

STATEMENT TO THE UN HUMAN RIGHTS COUNCIL

Thank you, Madame President. Distinguished Delegates. Good afternoon. My name is Marcos Orellana. I am an attorney from Chile with the Center for International Environmental Law (CIEL). I have been nominated by a broad range of NGOs to speak here today, and do so on behalf of CIEL.

I have come to Geneva to urge the Human Rights Council to establish a special procedure that can effectively address the human rights dimensions of the environment and climate change.

Several resolutions by the Council, expert panels and seminars, and even the Council's Social Forum have shed light on the linkages between human rights, the environment and climate change.

The analytical report on human rights and environment of the Office of the High Commissioner, submitted to the Council for consideration in this session, concluded that the linkages between human rights and the environment have been increasingly recognized.

The constitutions of more than 140 States have incorporated a right to environment in some formulation. All the regional human rights mechanisms have linked human rights and environment in their jurisprudence. A number of treaties concluded after the 1972 UN Conference on the Human Environment explicitly refer to the right to a healthy environment, and virtually all human rights treaties have been interpreted to address environmental issues.

There is now a real opportunity for the Council to seize this momentum and establish an institutional vehicle to carry these linkages forward.

A special procedure is particularly needed at this juncture, given that the planet's environmental crisis is undermining the effective enjoyment of human rights. The Council thus faces a historic responsibility.

Scientists worldwide are alerting us to the urgent need for immediate and strong action to address growing threats to the global environment. Climate change is a clear and even dramatic example of the planet's environmental crisis.

A special procedure on the environment and climate change would perform tasks that are vital to the Council's ability to contribute a human rights perspective to addressing the global environmental challenges of our time.

A special procedure would clarify the nature of human rights obligations as they pertain to the environment, including with respect to their extraterritorial dimension. Similarly a special procedure should engage relevant multilateral environmental agreements, with a view to identifying best practices in rights-based approaches. Further, a special procedure should provide guidance to the implementation of the right to a healthy environment as well as the outcomes from the forthcoming Rio+20 UN Conference on Sustainable Development.

My final point is that we must not allow narrow political interests to obstruct the Council's ability to address the human rights dimensions of the critical environmental issues confronting our planet.

The former Human Rights Commission was much criticized for its politicization. By contrast, since its creation the Council has shown leadership in respect of environmental issues, such as water and sanitation, sound management of chemicals, and climate change.

Peoples around the world have their eyes and hopes set on the Council. The Council in this session can make real progress in an area of fundamental importance to the rights, lives and well-being of people around the world. The rights of today's victims of environmental degradation, as well as the rights of future generations, are directly implicated in the Council's task.

Let me conclude by urging the Council to face its responsibility and seize this opportunity to establish a special procedure that can address the human rights dimensions of the environment and climate change.

I thank you for your attention.