



General Assembly

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Human Rights Council

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Agenda item 3

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

**Austria*, Costa Rica*, Germany*, Honduras*, Maldives, Monaco*, Morocco*, New
Zealand*, Panama*, Paraguay*, Peru*, Portugal*, Slovenia*, Switzerland, Uruguay:
draft resolution**

16/... Human rights and the environment

The Human Rights Council,

Recalling Commission on Human Rights resolutions 2003/71 of 25 April 2003 and 2005/60 of 20 April 2005, and Commission on Human Rights decision 2004/119 of 21 April 2004,

Recalling also its resolutions relevant to the relationship between human rights and the environment, including Council resolutions 7/23 of 28 March 2008 and 10/4 of 25 March 2009 on human rights and climate change, and resolutions 9/1 of 24 September 2008 and 12/18 of 2 October 2009 on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights,

Recalling further the request made by the Commission on Human Rights to the Secretary-General in paragraph 10 of its resolution 2005/60, and taking account of the note by the Secretariat on the outcomes of the High-level Plenary Meeting of the General Assembly on the Millennium Declaration in September 2005, on how respect for human rights can contribute to sustainable development,¹

Recalling the reports submitted to the Subcommission on the Promotion and Protection of Human Rights by its Special Rapporteur on human rights and the environment² and the report of the Secretary-General on human rights and the environment as part of sustainable development,³

Recalling also the Declaration of the United Nations Conference on the Human Environment, the Rio Declaration on Environment and Development, Agenda 21, the

* Non-Member State of the Human Rights Council.

¹ A/HRC/4/107.

² E/CN.4/Sub.2/1992/7 and Add.1, E/CN.4/Sub.2/1993/7, E/CN.4/Sub.2/1994/9 and Corr.1.

³ E/CN.4/2005/96.

Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development,

Recalling further the principles of the Rio Declaration on Environment and Development, including Principle 7, which states that, in view of the different contributions to global environmental degradation, States have common but differentiated responsibilities to protect the environment,

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

Welcoming the decision to organize, in 2012, the United Nations Conference on Sustainable Development in Rio de Janeiro, Brazil (Rio+20), and taking note of the invitation of the General Assembly, in its resolution 64/236, to organizations and bodies of the United Nations to contribute to the preparatory process for the Conference,

Reaffirming the Millennium Development Goals, including Goal 7 on ensuring environmental sustainability,

Reaffirming also that good governance, within each country and at the international level, is essential for sustainable development,

Recognizing that human beings are at the centre of concerns for sustainable development and that the right to development must be fulfilled so as to equitably meet the development and environmental needs of present and future generations,

Taking note of decisions 1/CP.16 and 1/CMP.6 made at the sixteenth Conference of Parties to the United Nations Framework Convention on Climate Change held in Cancun, Mexico in 2010, and in particular the seventh preambular paragraph, paragraphs 7, 8 and 12, and subparagraphs 2 (c) and (d) of the annex to decision CP.16, and desirous to contribute positively to a successful outcome of the next Conference of the Parties, to be held in Durban, South Africa, in 2011,

Noting that sustainable development and the protection of the environment can contribute to human well-being and to the enjoyment of human rights,

Noting, conversely, that environmental damage can have negative implications, both direct and indirect, for the effective enjoyment of human rights,

Recognizing that, while these implications affect individuals and communities around the world, environmental damage is felt most acutely by those segments of the population who are already in vulnerable situations,

Recognizing also that many forms of environmental damage are transnational in character and that effective international cooperation to address such damage is important in order to support national efforts for the realization of human rights,

Reaffirming that human rights obligations and commitments have the potential to inform and strengthen international, regional and national policymaking in the area of environmental protection, promoting policy coherence, legitimacy and sustainable outcomes,

Emphasizing the responsibility of States to take human rights into consideration when developing their environmental policies,

1. *Requests* the Office of the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States Members of the United Nations, relevant international organizations and intergovernmental bodies, including the United Nations Environment Programme and relevant multilateral environmental agreements, special procedures, treaty bodies and other stakeholders, to conduct, within existing resources, a detailed analytical study on the relationship between

human rights and the environment, to be submitted to the Human Rights Council prior to its nineteenth session;

2. *Decides* to consider the above-mentioned study and possible next steps at its nineteenth session under agenda item 3.
