



UNITED NATIONS ENVIRONMENT PROGRAMME

Programme des Nations Unies pour l'environnement Programa de las Naciones Unidas para el Medio Ambiente
Программа Организации Объединенных Наций по окружающей среде برنامج الأمم المتحدة للبيئة
联合国环境规划署



Our Reference: DRC/ROE/OUT 2010

Date: 14 May 2010

Dear Ms. Calmy-Rey,

I understand that the upcoming Council of Europe's 120th Session of the Committee of Ministers will discuss the possibility of adding an Additional Protocol that would codify the right to a healthy environment in the European Convention on Human Rights. As you are aware, the United Nations Environment Programme has great interest in the understanding of the linkages between human rights and the environment.

Together with the Office for the High Commissioner of Human Rights, UNEP convened in December 2009, a "High Level Expert Meeting on the New Future of Human Rights and Environment: Moving the Global Agenda Forward". At this meeting, a group of 40 distinguished academics, experts, international lawyers and representatives of the international organizations discussed the link between human rights and the environment.

While noting that a great deal of development of the linkages between human rights and environmental law had already been highlighted by national courts and regional human rights bodies, it observed the growing trend in international and regional courts and tribunals to consider human rights issues when adjudicating on environmental disputes. However, it was found that law in this area lacks coherence. One of the three pathways the experts identified to link the human rights and the environmental agendas, is the provision of a substantive right to a decent or healthy environment in instruments. More information can be found at <http://www.unep.org/environmentalgovernance/>.

At the United Nations Conference on the Human Environment held in Stockholm, the international community declared that 'Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and bears a solemn responsibility to protect and improve the environment for present and future generations'. This statement provided the basis for subsequent elaboration of a human right to environmental quality, but the focus has to some extent faded in the ensuing efforts by the international community to tackle specific environmental problems.

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However, it is again, widely recognized that a healthy and clean environment is a fundamental prerequisite to the enjoyment of human rights; it elevates the entire spectrum of sustainability, conservation and environmental issues to a place amidst the most fundamental values of society, on a level equal to other human rights. I therefore have confidence that the Committee of Ministers will decide to add the right to a healthy environment to the other rights codified in and protected under the ECHR.

As you pointed out in your address at the Seventh Meeting for Human Rights held in Geneva in September 2009, Switzerland has always been a pioneer in supporting the idea of linking human rights and environment, and I hope that this vision will be shared in the Committee of Ministers.

Best regards.

Yours sincerely,


Achim Steiner
Executive Director

cc.: Permanent Mission of Switzerland to the United Nations in Geneva

Permanent Representative of Switzerland to the Council of Europe,
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