



**World Health
Organization**

The right to a healthy environment

AIDE-MÉMOIRE

For country action to implement the human right to a clean, healthy and sustainable environment



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The universal human right to a clean, healthy and sustainable environment was adopted by the Human Rights Council and the UN General Assembly in 2021/2022.

The right to a healthy environment includes, at a minimum, the right to enjoy clean air, safe and sufficient water, healthy and sustainably produced food, a safe climate, healthy biodiversity and ecosystems, and non-toxic environments. It also

guarantees access to environmental education and information, public participation in decision making and access to justice.

States are obligated to respect, protect and fulfill the right to a healthy environment by implementing necessary policies and actions¹. Transforming today's economic systems, which are based on exploiting people and nature, has been described as the biggest challenge facing humanity. The right to a healthy environment can be used as a powerful lever for the required transformative change away from fixating on economic growth towards well-being and living in harmony with nature.

WHO support to countries

- Assesses exposure to and health impacts of climate change, pollution and biodiversity loss, and provides national and global data that is freely available.
- Develops training and capacity building materials on climate change, pollution and biodiversity loss and health for various audiences from policy makers to the public.
- Establishes guidance and tools for implementing WHO environmental health guidelines and standards, and advice on related policies and legislation.
- Provides a compendium of effective interventions in environment, climate change and health.
- Prepares country-specific information on exposures, health impacts and policies in environment, climate change and health.
- Highlights co-benefits of tackling the planetary environmental crisis to other sectors, such as health benefits, progress on sustainable development goals (SDGs), and progress towards carbon neutrality.

✓ Checklist

Governance

- ☐ The human right to a clean, healthy and sustainable environment included in national constitution and legislation.
- ☐ Transparent decision making in place, that is protected from industrial and other influence.
- ☐ Collaboration across sectors established.
- ☐ Public participation in environmental decision making established.
- ☐ Freedom of expression, association and peaceful assembly respected.
- ☐ Best available scientific evidence used to develop laws, regulations, standards and policies.
- ☐ Access to justice for all established.
- ☐ Cooperation with other countries initiated for effectively addressing the planetary environmental crisis.
- ☐ National and foreign transnational businesses regulated and monitored.

Awareness raising & capacity building

- ☐ Adequate information regarding the causes and consequences of the planetary environmental crisis provided to the public.
- ☐ The right to a clean, healthy and sustainable environment included in general education curriculum from kindergarten through university.

¹ Please refer to the companion aide mémoire on the planetary environmental crisis.

Key elements for country action

Governance

- Include the right to a healthy environment in national constitution and legislation and in regional human rights treaties.
- Collaborate across sectors and cooperate with other countries to fulfill the right to a healthy environment.
- Use the right to a healthy environment to hold industry and other stakeholders accountable.
- Protect relevant decision-making from undue influence through adequate mechanism.

Guiding principles

- Prevention of climate and environmental damage.
- Precaution in case of incomplete scientific evidence.
- Non-discrimination and equality: actively improve climate and environmental justice.
- Polluter pays: Costs of pollution are borne by the polluter.
- Use the best available scientific evidence to develop laws, regulations, standards and policies.
- Non-regression: fully comply with and avoid weakening of environmental and human rights standards.
- Cooperate with other countries for effectively addressing global environmental challenges.
- Accept the shared obligation to address the planetary environmental crises, with wealthy States taking primary responsibility for financing and implementing solutions, and reducing emissions faster.

Procedural obligations

- Provide the public with accessible, timely, affordable and understandable information regarding the causes and consequences of the global climate and environmental crisis.
- Ensure that all children and youth are taught about their right to a clean, healthy and sustainable environment.
- Ensure meaningful, informed, inclusive and equitable public participation in climate and environmental decision-making
- Prohibit discrimination in relation to the right to a healthy environment.
- Respect and protect the rights to freedom of expression, association and peaceful assembly.
- Establish monitoring programmes, assess major sources of exposure and provide the public with accurate, accessible information about risks to human rights, human health and ecosystem integrity
- Assess the potential environmental, social, health, cultural and human rights impacts of all plans, policies, projects and proposals that could foreseeably exacerbate the climate and environmental crisis
- Enable affordable and timely access to justice and effective remedies for all.
- Integrate gender equality into all environmental plans and actions and empower women and girls to play leadership roles.
- Respect the rights of Indigenous Peoples and peasants.

Substantive country obligations

- Comply with the right to a healthy environment and prevent violation through state-owned enterprises and third parties, especially businesses.
- Give special attention to marginalized groups and persons in situations of vulnerability whose rights may be jeopardized by the climate and environmental crises.
- Prioritize actions to protect environmental human rights defenders.
- Implement adequate regulatory frameworks to control corporate influence on public policy.
- Enact strong climate, environmental and human rights laws, regulations, standards and policies.
- Supervise and monitor all businesses that may foreseeably cause significant environmental harm.
- Establish adequate institutions with the authority, capacity, resources and processes required to prevent, investigate, punish and redress climate and environmental impacts on human rights.
- Enact and enforce comprehensive human rights and environmental due diligence legislation.
- Implement transformative changes to societal goals, economic systems, corporate law, tax law, trade and investment law, climate law and environmental law, to mandate businesses to operate within planetary boundaries and respect human rights, including the right to a healthy environment.

Additional information:



<https://www.who.int/health-topics/environmental-health>

Main resources:

- [The right to a healthy environment, a user's guide. United Nations Human Rights Office of the High Commissioner \(OHCHR\), 2024.](#)
- [Resolution A/76/300: the human right to a clean, healthy and sustainable environment. United Nations General Assembly, 2022.](#)

Please note that this aide mémoire provides summary information only. This aide mémoire on the human right to a healthy environment may be read in conjunction with the aide mémoire on the planetary environmental crisis. Specific information on the different elements of this right, e.g. climate change, air and chemical pollution, drinking water and others, is provided in different aide mémoires of this same series.