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Introduction

The United Nations Environment Programme has developed four illustrations (on the cover page) which are a visual representation of human rights obligations related to the environment. This is a bibliography of the sources of the rights shown in those [four illustrations](#).

This document is not meant to be exhaustive as these rights exist across numerous instruments and laws.

Use the links to learn more about each legal source.

List of environment-related human rights

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47. The right to an effective remedy

1. The right to a healthy environment

[First Global Environmental Rule of Law Report, Chapter 4, pages 154-159](#)

The right to a healthy environment has gained constitutional recognition and protection in more than 150 countries – the strongest form of legal protection available.

About two thirds of the constitutional rights refer to a healthy environment; alternative formulations include rights to a clean, safe, favourable, wholesome or ecologically balanced environment. The right is expressed in a variety of ways (most commonly as an individual right or a state duty). In addition, many countries have statutory rights to a healthy environment that either give statutory meaning to the constitutional right or exist without a corresponding constitutional right.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 1](#)

The objective of the present Agreement is to guarantee the full and effective implementation in Latin America and the Caribbean of the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters, and the creation and strengthening of capacities and cooperation, contributing to the protection of the right of every person of present and future generations to live in a healthy environment and to sustainable development.

[African Charter on Human and Peoples' Rights, Article 24](#)

All peoples shall have the right to a general satisfactory environment favorable to their development.

2. The right to an adequate standard of living

[Universal Declaration of Human Rights, Article 25](#)

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

[International Covenant on Economic, Social and Cultural Rights, Article 11](#)

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions [...]

3. A government's obligation to protect peoples' human rights

United Nations

Today, all United Nations member States have ratified at least one of the [nine core international human rights treaties](#), and 80 percent have ratified four or more, giving concrete expression to the universality of the Universal Declaration of Human Rights and international human rights. International human rights law lays down obligations which States are bound to respect. By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights.

4. The right to enjoy your own culture and participate in cultural life

Universal Declaration of Human Rights, Article 27

1. Everyone has the right freely to participate in the cultural life of the community [...]

International Covenant on Civil and Political Rights, Article 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

UN Declaration on the rights of indigenous peoples, Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;

- (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

[UN Declaration on the rights of indigenous peoples, Article 11](#)

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

[African Charter on Human and Peoples' Rights, Article 17](#)

2. Every individual may freely, take part in the cultural life of his community.

5. The right to the enjoyment of favourable conditions of work

[International Covenant on Economic, Social and Cultural Rights, Article 7](#)

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work [...]

6. The right to food

[Universal Declaration of Human Rights, Article 25](#)

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

[International Covenant on Economic, Social and Cultural Rights, Article 11](#)

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions [...]
2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger [...]

7. Fulfilling the best interests of the child

[Convention on the Rights of the Child, Article 3](#)

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 1](#)

The objective of the present Agreement is to guarantee the full and effective implementation in Latin America and the Caribbean of the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters, and the creation and strengthening of capacities and cooperation, contributing to the protection of the right of every person of present and future generations to live in a healthy environment and to sustainable development.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 3](#)

- (g) Principle of intergenerational equity [...]

8. The right to freely pursue one's economic and social development

[International Covenant on Economic, Social and Cultural Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[International Covenant on Civil and Political Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[UN Declaration on the Right to Development, Article 1](#)

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

[African Charter on Human and Peoples' Rights, Article 20](#)

1. All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen.

[African Charter on Human and Peoples' Rights, Article 22](#)

1. All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.

9. The right to rest and leisure

[Universal Declaration of Human Rights, Article 24](#)

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

10. The right to mental health

[Universal Declaration of Human Rights, Article 25](#)

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

[International Covenant on Economic, Social and Cultural Rights, Article 12](#)

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party

shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[African Charter on Human and Peoples' Rights, Article 16](#)

1. Every individual shall have the right to enjoy the best attainable state of physical and mental health.

11. The right to water

[Access to water and sanitation are recognized by the United Nations as human rights](#). The human right to safe drinking water was first recognized by the UN General Assembly and the Human Rights Council as part of binding international law in 2010 ([UN, 2010](#)). The human right to sanitation was explicitly recognized as a distinct right by the UN General Assembly in 2015 ([UN, 2016](#)).

12. The right to security of person

[Universal Declaration of Human Rights, Article 3](#)

Everyone has the right to life, liberty and the security of person.

[International Covenant on Civil and Political Rights, Article 9](#)

1. Everyone has the right to liberty and security of person [...]

[African Charter on Human and Peoples' Rights, Article 6](#)

Every individual shall have the right to liberty and to the security of his person [...]

13. Business's responsibility to respect human rights

[UN Guiding Principles on Business and Human Rights](#)

The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in [the International Bill of Human Rights](#) and the principles concerning fundamental rights set out in the [International Labour Organization's Declaration on Fundamental Principles and Rights at Work](#). These are the benchmarks against which other social actors assess the human rights impacts of business enterprises.

14. The right to access natural resources

[International Covenant on Civil and Political Rights, Article 1](#)

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources [...] In no case may a people be deprived of its own means of subsistence.

[UN Declaration on the rights of indigenous peoples, Article 27](#)

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

[African Charter on Human and Peoples' Rights, Article 21](#)

1. All peoples shall freely dispose of their wealth and natural resources [...]

15. The right to sanitation

[Office of the United Nations High Commissioner for Human Rights](#)

In 2002, the Committee on Economic, Social and Cultural Rights adopted [General Comment 15](#) on the right to water. This General Comment explains that the right to water is considered implicit in Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights covering the right to an adequate standard of living, and the right to health respectively. In July 2010, the General Assembly adopted a resolution, which “recognized the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights” ([GA res 64/292](#)).

16. The right to work

[International Covenant on Economic, Social and Cultural Rights, Article 6](#)

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

[African Charter on Human and Peoples' Rights, Article 15](#)

Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.

17. The right to adequate housing

[Universal Declaration of Human Rights, Article 25](#)

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

[International Covenant on Economic, Social and Cultural Rights, Article 11](#)

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions [...]

18. The right to life

[International Covenant on Civil and Political Rights, Article 6](#)

1. Every human being has the inherent right to life [...]

[African Charter on Human and Peoples' Rights, Article 4](#)

Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

19. The right to physical health

[Universal Declaration of Human Rights, Article 25](#)

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

[International Covenant on Economic, Social and Cultural Rights, Article 12](#)

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[African Charter on Human and Peoples' Rights, Article 16](#)

1. Every individual shall have the right to enjoy the best attainable state of physical and mental health.

20. The right to enjoy, contribute and participate in cultural development

[International Covenant on Economic, Social and Cultural Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[International Covenant on Civil and Political Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[Universal Declaration of Human Rights, Article 27](#)

1. Everyone has the right freely to participate in the cultural life of the community [...]

[UN Declaration on the Right to Development, Article 1](#)

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

[African Charter on Human and Peoples' Rights, Article 17](#)

2. Every individual may freely, take part in the cultural life of his community.

[African Charter on Human and Peoples' Rights, Article 22](#)

1. All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.

21. States shall ensure to the maximum extent possible the survival and development of the child

[Convention on the Rights of the Child, Article 6](#)

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 1](#)

The objective of the present Agreement is to guarantee the full and effective implementation in Latin America and the Caribbean of the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters, and the creation and strengthening of capacities and cooperation, contributing to the protection of the right of every person of present and future generations to live in a healthy environment and to sustainable development.

22. In no case may a people be deprived of its own means of subsistence

[International Covenant on Civil and Political Rights, Article 1](#)

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources [...] In no case may a people be deprived of its own means of subsistence.

23. The right of indigenous peoples to free, prior and informed consent

[UN Declaration on the rights of indigenous peoples, Article 10](#)

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples

concerned and after agreement on just and fair compensation and, where possible, with the option of return.

[UN Declaration on the rights of indigenous peoples, Article 19](#)

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

[UN Declaration on the rights of indigenous peoples, Article 28](#)

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

[UN Declaration on the rights of indigenous peoples, Article 32](#)

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 6](#)

2. The public concerned shall be informed, either by public notice or individually as appropriate, early in an environmental decision-making procedure, and in an adequate, timely and effective manner, inter alia, of:
 - (a) The proposed activity and the application on which a decision will be taken;
 - (b) The nature of possible decisions or the draft decision;
 - (c) The public authority responsible for making the decision;
 - (d) The envisaged procedure, including, as and when this information can be provided:
 - (i) The commencement of the procedure;
 - (ii) The opportunities for the public to participate;
 - (iii) The time and venue of any envisaged public hearing;

- (iv) An indication of the public authority from which relevant information can be obtained and where the relevant information has been deposited for examination by the public;
 - (v) An indication of the relevant public authority or any other official body to which comments or questions can be submitted and of the time schedule for transmittal of comments or questions; and
 - (vi) An indication of what environmental information relevant to the proposed activity is available; and
 - (e) The fact that the activity is subject to a national or transboundary environmental impact assessment procedure.
3. The public participation procedures shall include reasonable time-frames for the different phases [...]
 4. Each Party shall provide for early public participation, when all options are open and effective public participation can take place.
 5. Each Party should, where appropriate, encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit.
 7. Procedures for public participation shall allow the public to submit, in writing or, as appropriate, at a public hearing or inquiry with the applicant, any comments, information, analyses or opinions that it considers relevant to the proposed activity.
 8. Each Party shall ensure that in the decision due account is taken of the outcome of the public participation.
 9. Each Party shall ensure that, when the decision has been taken by the public authority, the public is promptly informed of the decision in accordance with the appropriate procedures. Each Party shall make accessible to the public the text of the decision along with the reasons and considerations on which the decision is based.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 7](#)

Each Party shall make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public [...]

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 8](#)

Each Party shall strive to promote effective public participation at an appropriate stage, and while options are still open, during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment [...]

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 5](#)

3. Each Party shall facilitate access to environmental information for persons or groups in vulnerable situations, establishing procedures for the provision of assistance, from the formulation of requests through to the delivery of the information, taking into account their conditions and specificities, for the purpose of promoting access and participation under equal conditions.
4. Each Party shall guarantee that the above-mentioned persons or groups in vulnerable situations, including indigenous peoples and ethnic groups, receive assistance in preparing their requests and obtain a response.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 7](#)

1. Each Party shall ensure the public's right to participation and, for that purpose, commits to implement open and inclusive participation in environmental decision-making processes [...]
2. Each Party shall guarantee mechanisms for the participation of the public in decision-making processes, revisions, re-examinations or updates with respect to projects and activities, and in other processes for granting environmental permits that have or may have a significant impact on the environment, including when they may affect health.
3. Each Party shall promote the participation of the public in decision-making processes, revisions, re-examinations or updates other than those referred to in paragraph 2 of the present article with respect to environmental matters of public interest, such as land-use planning, policies, strategies, plans, programmes, rules and regulations, which have or may have a significant impact on the environment.
4. Each Party shall adopt measures to ensure that the public can participate in the decision-making process from the early stages, so that due consideration can be given to the observations of the public, thus contributing to the process [...]
5. The public participation procedure will provide for reasonable timeframes that allow sufficient time to inform the public and for its effective participation.
6. The public shall be informed, through appropriate means, such as in writing, electronically, orally and by customary methods, and in an effective, comprehensible and timely manner, as a minimum, of the following:
 - (a) the type or nature of the environmental decision under consideration and, where appropriate, in non-technical language;
 - (b) the authority responsible for making the decision and other authorities and bodies involved;
 - (c) the procedure foreseen for the participation of the public, including the date on which the procedure will begin and end, mechanisms for participation and, where applicable, the date and place of any public consultation or hearing; and

- (d) the public authorities involved from which additional information on the environmental decision under consideration can be requested and the procedure for requesting information.
7. The public's right to participate in environmental decision-making processes shall include the opportunity to present observations through appropriate means available, according to the circumstances of the process. Before adopting the decision, the relevant public authority shall give due consideration to the outcome of the participation process.
 8. Each Party shall ensure that, once a decision has been made, the public is informed in a timely manner thereof and of the grounds and reasons underlying the decision, including how the observations of the public have been taken into consideration. The decision and its basis shall be made public and be accessible.
 9. The dissemination of the decisions resulting from environmental impact assessments and other environmental decision-making processes in which the public has participated shall be carried out through appropriate means, which may include written, electronic or oral means and customary methods, in an effective and prompt manner. The information disseminated shall include the established procedure to allow the public to take the relevant administrative and judicial actions.
 10. Each Party shall establish conditions that are favourable to public participation in environmental decision-making processes and that are adapted to the social, economic, cultural, geographical and gender characteristics of the public.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.
2. Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 6](#)

1. In applying the provisions of this Convention, governments shall:
 - (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;
 - (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;
 - (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.

2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

24. The right of indigenous peoples to the conservation and protection of their lands

[UN Declaration on the rights of indigenous peoples, Article 20](#)

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

[UN Declaration on the rights of indigenous peoples, Article 29](#)

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources [...]

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

25. The right of indigenous peoples to determine and develop priorities and strategies for the development or use of their lands or territories and other resources

[UN Declaration on the rights of indigenous peoples, Article 32](#)

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 6](#)

2. The public concerned shall be informed, either by public notice or individually as appropriate, early in an environmental decision-making procedure, and in an adequate, timely and effective manner, inter alia, of:
 - (a) The proposed activity and the application on which a decision will be taken;
 - (b) The nature of possible decisions or the draft decision;
 - (c) The public authority responsible for making the decision;
 - (d) The envisaged procedure, including, as and when this information can be provided:
 - (i) The commencement of the procedure;
 - (ii) The opportunities for the public to participate;
 - (iii) The time and venue of any envisaged public hearing;
 - (iv) An indication of the public authority from which relevant information can be obtained and where the relevant information has been deposited for examination by the public;
 - (v) An indication of the relevant public authority or any other official body to which comments or questions can be submitted and of the time schedule for transmittal of comments or questions; and
 - (vi) An indication of what environmental information relevant to the proposed activity is available; and
 - (e) The fact that the activity is subject to a national or transboundary environmental impact assessment procedure.

3. The public participation procedures shall include reasonable time-frames for the different phases [...]
4. Each Party shall provide for early public participation, when all options are open and effective public participation can take place.
5. Each Party should, where appropriate, encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit.
7. Procedures for public participation shall allow the public to submit, in writing or, as appropriate, at a public hearing or inquiry with the applicant, any comments, information, analyses or opinions that it considers relevant to the proposed activity.
8. Each Party shall ensure that in the decision due account is taken of the outcome of the public participation.
9. Each Party shall ensure that, when the decision has been taken by the public authority, the public is promptly informed of the decision in accordance with the appropriate procedures. Each Party shall make accessible to the public the text of the decision along with the reasons and considerations on which the decision is based.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 7](#)

Each Party shall make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public [...]

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 8](#)

Each Party shall strive to promote effective public participation at an appropriate stage, and while options are still open, during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment [...]

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 7](#)

1. Each Party shall ensure the public's right to participation and, for that purpose, commits to implement open and inclusive participation in environmental decision-making processes [...]
2. Each Party shall guarantee mechanisms for the participation of the public in decision-making processes, revisions, re-examinations or updates with respect to projects and activities, and in other processes for granting environmental permits that have or may have a significant impact on the environment, including when they may affect health.
3. Each Party shall promote the participation of the public in decision-making processes, revisions, re-examinations or updates other than those referred to in paragraph 2 of the

present article with respect to environmental matters of public interest, such as land-use planning, policies, strategies, plans, programmes, rules and regulations, which have or may have a significant impact on the environment.

4. Each Party shall adopt measures to ensure that the public can participate in the decision-making process from the early stages, so that due consideration can be given to the observations of the public, thus contributing to the process [...]
5. The public participation procedure will provide for reasonable timeframes that allow sufficient time to inform the public and for its effective participation.
6. The public shall be informed, through appropriate means, such as in writing, electronically, orally and by customary methods, and in an effective, comprehensible and timely manner, as a minimum, of the following:
 - (a) the type or nature of the environmental decision under consideration and, where appropriate, in non-technical language;
 - (b) the authority responsible for making the decision and other authorities and bodies involved;
 - (c) the procedure foreseen for the participation of the public, including the date on which the procedure will begin and end, mechanisms for participation and, where applicable, the date and place of any public consultation or hearing; and
 - (d) the public authorities involved from which additional information on the environmental decision under consideration can be requested and the procedure for requesting information.
7. The public's right to participate in environmental decision-making processes shall include the opportunity to present observations through appropriate means available, according to the circumstances of the process. Before adopting the decision, the relevant public authority shall give due consideration to the outcome of the participation process.
8. Each Party shall ensure that, once a decision has been made, the public is informed in a timely manner thereof and of the grounds and reasons underlying the decision, including how the observations of the public have been taken into consideration. The decision and its basis shall be made public and be accessible.
9. The dissemination of the decisions resulting from environmental impact assessments and other environmental decision-making processes in which the public has participated shall be carried out through appropriate means, which may include written, electronic or oral means and customary methods, in an effective and prompt manner. The information disseminated shall include the established procedure to allow the public to take the relevant administrative and judicial actions.
10. Each Party shall establish conditions that are favourable to public participation in environmental decision-making processes and that are adapted to the social, economic, cultural, geographical and gender characteristics of the public.

[African Charter on Human and Peoples' Rights, Article 22](#)

1. All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.
2. Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 6](#)

1. In applying the provisions of this Convention, governments shall:
 - (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;
 - (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;
 - (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.
2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

26. The right to self-determination

[International Covenant on Economic, Social and Cultural Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[International Covenant on Civil and Political Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[UN Declaration on the rights of indigenous peoples, Article 4](#)

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

[African Charter on Human and Peoples' Rights, Article 20](#)

1. All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination [...]

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

27. The right of indigenous peoples to the lands, territories and resources that they have traditionally owned, occupied or used

[UN Declaration on the rights of indigenous peoples, Article 25](#)

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

[UN Declaration on the rights of indigenous peoples, Article 26](#)

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired;

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

[Indigenous and Tribal Peoples Convention, Article 2](#)

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

[Indigenous and Tribal Peoples Convention, Article 14](#)

1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.

[Indigenous and Tribal Peoples Convention, Article 15](#)

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.

28. The right of indigenous peoples to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies

[UN Declaration on the rights of indigenous peoples, Article 12](#)

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

29. The right of indigenous peoples to the improvement of their social and economic conditions

[UN Declaration on the rights of indigenous peoples, Article 21](#)

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

[International Covenant on Economic, Social and Cultural Rights, Article 11](#)

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions [...]

[Indigenous and Tribal Peoples Convention, Article 2](#)

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.

2. Such action shall include measures for:
 - (a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
 - (b) promoting the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions;
 - (c) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

[Indigenous and Tribal Peoples Convention, Article 7](#)

2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall economic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.

30. The right of indigenous peoples to maintain, protect, and have access to privacy to religious and cultural sites

[UN Declaration on the rights of indigenous peoples, Article 12](#)

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

31. All people may, for their own ends, freely dispose of their natural wealth

[International Covenant on Civil and Political Rights, Article 1](#)

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources [...] In no case may a people be deprived of its own means of subsistence.

[UN Declaration on the rights of indigenous peoples, Article 27](#)

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

[African Charter on Human and Peoples' Rights, Article 21](#)

1. All peoples shall freely dispose of their wealth and natural resources [...]

32. The right of indigenous peoples to be secure in the enjoyment of their own means of subsistence

[UN Declaration on the rights of indigenous peoples, Article 20](#)

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

[Indigenous and Tribal Peoples Convention, Article 2](#)

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.
2. Such action shall include measures for:
 - (a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
 - (b) promoting the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions;

- (c) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 15](#)

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.

33. The right of indigenous peoples to traditional knowledge and practices

[UN Declaration on the rights of indigenous peoples, Article 11](#)

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

34. The right of indigenous peoples to traditional medicines

[UN Declaration on the rights of indigenous peoples, Article 24](#)

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

[Indigenous and Tribal Peoples Convention, Article 4](#)

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

[Indigenous and Tribal Peoples Convention, Article 7](#)

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

35. The right to a clean environment

[First Global Environmental Rule of Law Report, Chapter 4, pages 154-159](#)

The right to a healthy environment has gained constitutional recognition and protection in more than 150 countries – the strongest form of legal protection available.

About two thirds of the constitutional rights refer to a healthy environment; alternative formulations include rights to a clean, safe, favourable, wholesome or ecologically balanced environment. The right is expressed in a variety of ways (most commonly as an individual right or a state duty). In addition, many countries have statutory rights to a healthy environment that either give statutory meaning to the constitutional right or exist without a corresponding constitutional right.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 1](#)

The objective of the present Agreement is to guarantee the full and effective implementation in Latin America and the Caribbean of the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters, and the creation and strengthening of capacities and cooperation,

contributing to the protection of the right of every person of present and future generations to live in a healthy environment and to sustainable development.

[African Charter on Human and Peoples' Rights, Article 24](#)

All peoples shall have the right to a general satisfactory environment favorable to their development.

36. The right to the continuous improvement of living conditions

[International Covenant on Economic, Social and Cultural Rights, Article 11](#)

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions [...]

37. Prohibition from discrimination

[International Covenant on Economic, Social and Cultural Rights, Article 2](#)

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

[International Covenant on Civil and Political Rights, Article 26](#)

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 3](#)

Each Party shall be guided by the following principles [...]

- (a) Principle of equality and principle of non-discrimination [...]

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 5](#)

3. Each Party shall facilitate access to environmental information for persons or groups in vulnerable situations, establishing procedures for the provision of assistance, from the formulation of requests through to the delivery of the information, taking into account their

conditions and specificities, for the purpose of promoting access and participation under equal conditions.

4. Each Party shall guarantee that the above-mentioned persons or groups in vulnerable situations, including indigenous peoples and ethnic groups, receive assistance in preparing their requests and obtain a response.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 6](#)

6. In order to facilitate access by persons or groups in vulnerable situations to information that particularly affects them, each Party shall endeavour, where applicable, to ensure that the competent authorities disseminate environmental information in the various languages used in the country, and prepare alternative formats that are comprehensible to those groups, using suitable channels of communication.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 7](#)

10. Each Party shall establish conditions that are favourable to public participation in environmental decision-making processes and that are adapted to the social, economic, cultural, geographical and gender characteristics of the public.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 8](#)

4. To facilitate access to justice in environmental matters for the public, each Party shall establish:

- (a) measures to minimize or eliminate barriers to the exercise of the right of access to justice [...]

5. In order to give effect to the right of access to justice, each Party shall meet the needs of persons or groups in vulnerable situations by establishing support mechanisms, including, as appropriate, free technical and legal assistance.

[African Charter on Human and Peoples' Rights, Article 2](#)

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

[African Charter on Human and Peoples' Rights, Article 3](#)

1. Every individual shall be equal before the law.

[African Charter on Human and Peoples' Rights, Article 19](#)

All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another.

[Indigenous and Tribal Peoples Convention, Article 8](#)

1. In applying national laws and regulations to the peoples concerned, due regard shall be had to their customs or customary laws.

38. All peoples have the right to freely determine their political status

[International Covenant on Economic, Social and Cultural Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[International Covenant on Civil and Political Rights, Article 1](#)

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

[UN Declaration on the Right to Development, Article 1](#)

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

[African Charter on Human and Peoples' Rights, Article 20](#)

1. All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen.

39. The right of equal participation in political and public affairs

[International Covenant on Civil and Political Rights, Article 25](#)

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

[UN Declaration on the rights of indigenous peoples, Article 18](#)

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 6](#)

2. The public concerned shall be informed, either by public notice or individually as appropriate, early in an environmental decision-making procedure, and in an adequate, timely and effective manner, inter alia, of:
 - (a) The proposed activity and the application on which a decision will be taken;
 - (b) The nature of possible decisions or the draft decision;
 - (c) The public authority responsible for making the decision;
 - (d) The envisaged procedure, including, as and when this information can be provided:
 - (i) The commencement of the procedure;
 - (ii) The opportunities for the public to participate;
 - (iii) The time and venue of any envisaged public hearing;
 - (iv) An indication of the public authority from which relevant information can be obtained and where the relevant information has been deposited for examination by the public;
 - (v) An indication of the relevant public authority or any other official body to which comments or questions can be submitted and of the time schedule for transmittal of comments or questions; and
 - (vi) An indication of what environmental information relevant to the proposed activity is available; and
 - (e) The fact that the activity is subject to a national or transboundary environmental impact assessment procedure.

3. The public participation procedures shall include reasonable time-frames for the different phases [...]
4. Each Party shall provide for early public participation, when all options are open and effective public participation can take place.
5. Each Party should, where appropriate, encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit.
7. Procedures for public participation shall allow the public to submit, in writing or, as appropriate, at a public hearing or inquiry with the applicant, any comments, information, analyses or opinions that it considers relevant to the proposed activity.
8. Each Party shall ensure that in the decision due account is taken of the outcome of the public participation.
9. Each Party shall ensure that, when the decision has been taken by the public authority, the public is promptly informed of the decision in accordance with the appropriate procedures. Each Party shall make accessible to the public the text of the decision along with the reasons and considerations on which the decision is based.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 7](#)

Each Party shall make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public [...]

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 8](#)

Each Party shall strive to promote effective public participation at an appropriate stage, and while options are still open, during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment [...]

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 7](#)

1. Each Party shall ensure the public's right to participation and, for that purpose, commits to implement open and inclusive participation in environmental decision-making processes [...]
2. Each Party shall guarantee mechanisms for the participation of the public in decision-making processes, revisions, re-examinations or updates with respect to projects and activities, and in other processes for granting environmental permits that have or may have a significant impact on the environment, including when they may affect health.
3. Each Party shall promote the participation of the public in decision-making processes, revisions, re-examinations or updates other than those referred to in paragraph 2 of the

present article with respect to environmental matters of public interest, such as land-use planning, policies, strategies, plans, programmes, rules and regulations, which have or may have a significant impact on the environment.

4. Each Party shall adopt measures to ensure that the public can participate in the decision-making process from the early stages, so that due consideration can be given to the observations of the public, thus contributing to the process [...]
5. The public participation procedure will provide for reasonable timeframes that allow sufficient time to inform the public and for its effective participation.
6. The public shall be informed, through appropriate means, such as in writing, electronically, orally and by customary methods, and in an effective, comprehensible and timely manner, as a minimum, of the following:
 - (a) the type or nature of the environmental decision under consideration and, where appropriate, in non-technical language;
 - (b) the authority responsible for making the decision and other authorities and bodies involved;
 - (c) the procedure foreseen for the participation of the public, including the date on which the procedure will begin and end, mechanisms for participation and, where applicable, the date and place of any public consultation or hearing; and
 - (d) the public authorities involved from which additional information on the environmental decision under consideration can be requested and the procedure for requesting information.
7. The public's right to participate in environmental decision-making processes shall include the opportunity to present observations through appropriate means available, according to the circumstances of the process. Before adopting the decision, the relevant public authority shall give due consideration to the outcome of the participation process.
8. Each Party shall ensure that, once a decision has been made, the public is informed in a timely manner thereof and of the grounds and reasons underlying the decision, including how the observations of the public have been taken into consideration. The decision and its basis shall be made public and be accessible.
9. The dissemination of the decisions resulting from environmental impact assessments and other environmental decision-making processes in which the public has participated shall be carried out through appropriate means, which may include written, electronic or oral means and customary methods, in an effective and prompt manner. The information disseminated shall include the established procedure to allow the public to take the relevant administrative and judicial actions.
10. Each Party shall establish conditions that are favourable to public participation in environmental decision-making processes and that are adapted to the social, economic, cultural, geographical and gender characteristics of the public.

[African Charter on Human and Peoples' Rights, Article 13](#)

1. Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.
2. Every citizen shall have the right of equal access to the public service of his country.
3. Every individual shall have the right of access to public property and services in strict equality of all persons before the law.

40. The right of access to information

[International Covenant on Civil and Political Rights, Article 19](#)

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

[Universal Declaration of Human Rights, Article 19](#)

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 4](#)

1. Each Party shall ensure that, subject to the following paragraphs of this article, public authorities, in response to a request for environmental information, make such information available to the public [...]

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 5](#)

2. Each Party shall ensure that, within the framework of national legislation, the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible [...]

6. Each Party shall encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products, where appropriate within the framework of voluntary eco-labelling or eco-auditing schemes or by other means.
7. Each Party shall:
 - (a) Publish the facts and analyses of facts which it considers relevant and important in framing major environmental policy proposals;
 - (c) Provide in an appropriate form information on the performance of public functions or the provision of public services relating to the environment by government at all levels.
8. Each Party shall develop mechanisms with a view to ensuring that sufficient product information is made available to the public in a manner which enables consumers to make informed environmental choices.
9. Each Party shall take steps to establish progressively, taking into account international processes where appropriate, a coherent, nationwide system of pollution inventories or registers on a structured, computerized and publicly accessible database compiled through standardized reporting. Such a system may include inputs, releases and transfers of a specified range of substances and products, including water, energy and resource use, from a specified range of activities to environmental media and to on-site and offsite treatment and disposal sites.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 3](#)

Each Party shall be guided by the following principles [...]

- (b) Principle of transparency and principle of accountability [...]

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 5](#)

1. Each Party shall ensure the public's right of access to environmental information in its possession, control or custody, in accordance with the principle of maximum disclosure.
2. The exercise of the right of access to environmental information includes:
 - (a) requesting and receiving information from competent authorities without mentioning any special interest or explaining the reasons for the request;
 - (b) being informed promptly whether the requested information is in possession or not of the competent authority receiving the request; and
 - (c) being informed of the right to challenge and appeal when information is not delivered, and of the requirements for exercising this right.
3. Each Party shall facilitate access to environmental information for persons or groups in vulnerable situations, establishing procedures for the provision of assistance, from the

formulation of requests through to the delivery of the information, taking into account their conditions and specificities, for the purpose of promoting access and participation under equal conditions.

4. Each Party shall guarantee that the above-mentioned persons or groups in vulnerable situations, including indigenous peoples and ethnic groups, receive assistance in preparing their requests and obtain a response.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, \(Escazú Agreement\) Article 6](#)

1. Each Party shall guarantee, to the extent possible within available resources, that the competent authorities generate, collect, publicize and disseminate environmental information relevant to their functions in a systematic, proactive, timely, regular, accessible and comprehensible manner, and periodically update this information and encourage the disaggregation and decentralization of environmental information at the subnational and local levels [...]
5. Each Party shall guarantee that in the case of an imminent threat to public health or the environment, the relevant competent authority shall immediately disclose and disseminate through the most effective means all pertinent information in its possession that could help the public take measures to prevent or limit potential damage. Each Party shall develop and implement an early warning system using available mechanisms.
10. Each Party shall ensure that consumers and users have official, relevant and clear information on the environmental qualities of goods and services and their effects on health, favouring sustainable production and consumption patterns.

[African Charter on Human and Peoples' Rights, Article 9](#)

1. Every individual shall have the right to receive information.

41. The right to peaceful assembly and protest

[International Covenant on Civil and Political Rights, Article 22](#)

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 9](#)

1. Each Party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.

2. Each Party shall take adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights, taking into account its international obligations in the field of human rights, its constitutional principles and the basic concepts of its legal system.
3. Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement.

[African Charter on Human and Peoples' Rights, Article 11](#)

Every individual shall have the right to assemble freely with others [...]

42. The right to freedom of expression and association

[International Covenant on Civil and Political Rights, Article 19](#)

1. Everyone shall have the right to hold opinions without interference;
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 9](#)

1. Each Party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.
2. Each Party shall take adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights, taking into account its international obligations in the field of human rights, its constitutional principles and the basic concepts of its legal system.
3. Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement.

[African Charter on Human and Peoples' Rights, Article 9](#)

2. Every individual shall have the right to express and disseminate his opinions within the law.

[African Charter on Human and Peoples' Rights, Article 10](#)

1. Every individual shall have the right to free association provided that he abides by the law.

43. The right to freedom from threats, harassment, intimidation, violence, arbitrary arrest and detention

[International Covenant on Civil and Political Rights, Article 9](#)

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law;
2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him;
3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement;
4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful;
5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

[International Covenant on Civil and Political Rights, Article 17](#)

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation;
2. Everyone has the right to the protection of the law against such interference or attacks.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 9](#)

1. Each Party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.
2. Each Party shall take adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights, taking into account

its international obligations in the field of human rights, its constitutional principles and the basic concepts of its legal system.

3. Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement.

[African Charter on Human and Peoples' Rights, Article 6](#)

Every individual shall have the right to liberty and to the security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained.

44. The right to access justice

[International Covenant on Civil and Political Rights, Article 2](#)

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;
2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant;
3. Each State Party to the present Covenant undertakes:
 - (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
 - (b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
 - (c) To ensure that the competent authorities shall enforce such remedies when granted.

[International Covenant on Civil and Political Rights, Article 14](#)

1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for

reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children;

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law;
3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:
 - (a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
 - (b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;
 - (c) To be tried without undue delay;
 - (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
 - (e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - (f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;
 - (g) Not to be compelled to testify against himself or to confess guilt.

[Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\), Article 1](#)

In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\), Article 8](#)

1. Each Party shall guarantee the right of access to justice in environmental matters in accordance with the guarantees of due process.

2. Each Party shall ensure, in the framework of its domestic legislation, access to judicial and administrative mechanisms to challenge and appeal, with respect to substance and procedure:
 - (a) any decision, action or omission related to the access to environmental information;
 - (b) any decision, action or omission related to public participation in the decision-making process regarding environmental matters; and
 - (c) any other decision, action or omission that affects or could affect the environment adversely or violate laws and regulations related to the environment.

[African Charter on Human and Peoples' Rights, Article 3](#)

1. Every individual shall be equal before the law.
2. Every individual shall be entitled to equal protection of the law.

[African Charter on Human and Peoples' Rights, Article 7](#)

1. Every individual shall have the right to have his cause heard. This comprises:
 - (a) the right to an appeal to competent national organs against acts of violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force;
 - (b) the right to be presumed innocent until proved guilty by a competent court or tribunal;
 - (c) the right to defense, including the right to be defended by counsel of his choice;
 - (d) the right to be tried within a reasonable time by an impartial court or tribunal.
2. No one may be condemned for an act or omission which did not constitute a legally punishable offence at the time it was committed. No penalty may be inflicted for an offence for which no provision was made at the time it was committed. Punishment is personal and can be imposed only on the offender.

[African Charter on Human and Peoples' Rights, Article 26](#)

States parties to the present Charter shall have the duty to guarantee the independence of the Courts and shall allow the establishment and improvement of appropriate national institutions entrusted with the promotion and protection of the rights and freedoms guaranteed by the present Charter.

45. The right to a fair and public hearing by an independent and impartial tribunal

Same as 44

46. The right to pursue cases

Same as 44

47. The right to an effective remedy

Same as 44