



Human Rights Think Tank Watch

Volume 1 - Issue 6

April 23, 2008

Environment & Human Rights Edition

In This Issue

Introduction

Feature Resources

- Draft Declaration of Principles on Human Rights and the Environment
- Fighting Climate Change: Human Solidarity in a Divided World
- The Right to Food: The Impact of Biofuels

Publications

- Environment and Human Rights
- Human Rights, Development And Climate Change Negotiations: Why a Structural Shift in Negotiations towards Adaptation and Mitigation Makes Sense
- Human Rights, Environment, and Development: With Special Emphasis on Corporate Accountability
- Human Rights and the Environment: Proceedings of a Geneva Environment Network Roundtable
- Human Rights and Environment: Riding the Wave of Change and Opportunity in the Americas - Exploring the Sustainability Development concept in Latin America
- Indigenous Peoples and Climate Change
- Integrating Human Rights into Energy and Environment Programming: A Reference Paper
- Losing Ground: The Human Rights Impacts of Oil Palm Plantation Expansion in Indonesia
- Oil and Human Rights

Journal References

- Flowers, Diamonds, and Gold: The Destructive Public Health, Human Rights, and Environmental Consequences of Symbols of Love
- Can the Human Rights Bodies be Used to Produce Interim Measures to Protect Environment-Related Human Rights?

Book References

Editor's Note

Coming up on May 20th to the 22nd, HRI will be hosting a regional meeting of Latin American human rights experts in Guanacaste, Costa Rica. Entitled *60 Years On: Where Have We Gone, Where Are We Going?*, participants at this meeting will be asked to reflect on the past 60 years since the adoption of the International Declaration on Human Rights and also look to the future and discuss the emerging issues in the field, particularly as human rights and development become increasingly related. If you are interested in participating at this meeting and would like more information, please contact us at info@hri.ca.

Also, in the coming days, HRI's Web page will feature past editions of the HRTTW, if you have missed previous editions or are a new member of the HRTTW subscriber list, please visit hri.ca for all of our previous newsletters.

- HRI Team

- [Linking Human Rights and Environment](#)

Multimedia & Tools

- [Approach to Climate Change Should Be Rooted in Human Rights](#)
- [Earthrights International](#)
- [Keysheets on Climate Change and Poverty - A DFID Tool](#)
- [United Nations Human Rights and Environment Background Information](#)

Introduction

Though the International Declaration on Human Rights was adopted in 1948, it wasn't until the 1972 United Nations Conference on the Human Environment declared that "man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights--even the right to life itself". By affirming the relationship between human rights and the environment, the international community finally recognized that which is almost obvious to people today: a clean and protected environment is essential for continued global development and a necessary part of respecting human rights.

Today, faced with the issues of urbanization, globalization, high demand for natural resources and climate change, the world needs a new approach to protecting our environment for future generations. Governments, both northern and southern, are central to developing a plan that can simultaneously promote development while protecting the environment and the rights of citizens. But governments cannot do it alone. Corporations, international organizations, private foundations and individuals must also contribute to this effort. Each year, Earth Day - April 22 - reminds us that the environment is our collective responsibility and that we all have a duty to protect it.

It is in honour of Earth Day, and this ongoing effort to find a plan for sustainable development and the protection of human rights, that we have produced this edition of the HRTTW. Ensuring a healthy, clean environment is paramount to ensuring long-term development in low-income countries. And ensuring this long-term development is paramount to ensuring the protection and greater respect of human rights.

We hope that you find this issue helpful, if you have any feedback on this issue, or past issues, please feel free to send us an e-mail at subscriptions@hri.ca

- HRI Team

Feature Resources

[Draft Declaration of Principles on Human Rights and the Environment](#)

Organization: *Multilaterals Project, Tufts University*

Date: 1994

Brief Description

The Draft Declaration is the first international instrument that comprehensively addresses the linkage between human rights and the environment. It demonstrates that accepted environmental and human rights principles embody the right of everyone to a secure, healthy and ecologically sound environment. The Draft Declaration describes the environmental dimension of established human rights, such as the rights to life, health and culture. It also describes the procedural rights, such as the right to participation, necessary for realization of the substantive rights.

The Draft Declaration also describes duties that correspond to the rights--duties that apply to individuals, governments, international organizations and transnational corporations.

[View Source](http://fletcher.tufts.edu) [fletcher.tufts.edu]

Fighting Climate Change: Human Solidarity in a Divided World

Organization: *United Nations Development Program - Human Development Report*

Date: 2008

Brief Description

This year's Human Development Report from the UNDP is dedicated to the damaging effects of climate change on those people who are being and will be most affected. Climate change, according to this report, has an effect on all aspects of development. The extreme weather, droughts and desertification caused by climate change will, if left unchecked, pose a significant challenge for future generations. And, as the report describes, "The poorest countries and most vulnerable citizens will suffer the earliest and most damaging setbacks, even though they have contributed least to the problem."

The report calls on the world to recognize that the hardships that will be faced by those most unable to adapt. As the report claims, it "challenges us to reflect on social justice and human rights across countries and generations." If the world does not take action on climate change, the resulting catastrophes will result in challenges to both development initiatives and human rights.

[View Source](http://hdr.undp.org) [hdr.undp.org]

The Right to Food: The Impact of Biofuels

Authors: Jean Ziegler

Organization: *A Report from the UN Special Rapporteur on the Right to Food*

Date: August 2007

Brief Description

In this report to the General Assembly, the UN Special Rapporteur on the Right to Food, Jean Ziegler evaluates the impact of biofuels on the Right to Food. Ziegler labels the "sudden, ill-conceived, rush to convert food into fuel" a "recipe for disaster." The Rapporteur calls for a five-

year moratorium on biofuel production to review production technology and to create "regulatory structures to protect against negative environmental, social and human rights impacts" of biofuel production.

To eradicate competition between food and fuel, Ziegler urges member states to look into the possibility of deriving biofuels solely from agricultural waste and non-food crops. Food prices would then remain stable, and both producers and consumers could benefit from biofuels.

[View Source](#) [RightToFood.org] [PDF]

Publications

Environment and Human Rights

Author: Wolfgang Sachs

Organization: *Wuppertal Institute on Globalisation*

Date: September 2003

From the Author

This paper develops the theme of international environmental justice as a human rights issue. First, it outlines six typical situations in which patterns of resource use come into conflict with subsistence rights: namely, extraction of raw materials, alteration of ecosystems, reprogramming of organisms, destabilization as a result of climate change, pollution of urban living space, and effects of resource prices. It then introduces the debate on human rights and locates respect for subsistence rights as a component of economic, social and cultural human rights. Finally, it offers some markers for an environmental policy geared to human rights, the aim of which is to guarantee civil rights for all in a world with a finite biosphere. Neither power play between states nor economic competition, but the realization of human rights and the respect for the biosphere, should be the defining feature of the emergent world society.

[View Source](#) [interpeacenet.org] [PDF]

Human Rights, Development And Climate Change Negotiations: Why a Structural Shift in Negotiations towards Adaptation and Mitigation Makes Sense

Author: Jorge Daniel Taillant

Organization: *Centre for Human Rights and the Environment*

Date: November 2007

From the Author

This paper is intended to provide climate change negotiators as well as institutions and individuals following climate change negotiations with guidance on how human rights and more generally a focus on development issues, can help advance climate change negotiations. It aims to provide guidance to climate negotiators and climate policy advocates on how such an approach can help advance global coherence on adaptation, mitigation, and emissions limitations. A key underlying objective is to provide States with more effective leverage to protect human rights and ensure sustainable development, particularly of the most vulnerable groups, communities, and States that are disproportionately affected by climate change.

It assumes that the reader is at least familiar with some basic background documents, including, the UN Framework Convention on Climate Change and its Kyoto Protocol as well as basic international human rights legislations and principles.

It is not intended to be a specific or detailed analysis identifying the human rights impacts of climate change, which is currently the focus of several new studies, but rather, a tool to help bring a human rights and development focus into the climate negotiations process.

[View Source](#) [cedha.org.ar] [PDF]

Human Rights, Environment, and Development: With Special Emphasis on Corporate Accountability

Author: Ayesha Dias

Organization: *United Nations Development Program*

Date: 2000

From the Author

This paper focuses on the interrelationships between human rights, environment and development. In doing so, the paper is less motivated by philosophical and academic concerns. Rather, it is motivated by concerns of policy and praxis. Environmental degradation is all too often resulting in serious human rights violations. Poverty and failure to realize basic human rights are placing the environment under severe stress. Development can serve as a key vehicle for promoting realization of human rights and protecting the environment. However, all too often, unsustainable development practices are themselves proving to be a main source of human rights violations and environmental degradation. Hence the paper strives to enhance the complementary relationship between promoting and protecting human rights; conserving, protecting and rehabilitating the environment; and achieving sustainable human development.

From here, the paper examines the link between promoting and protecting human rights and promoting and protecting the environment in the context of sustainable human development. It examines existing human rights and how human rights approaches can contribute to existing arrangements for protection of the environment. It then explores issues related to the recognition, scope and implementation of a human right to environment. It reviews the work of the UN Special Rapporteur on Human Rights and the Environment and her efforts towards gaining recognition of environmental human rights.

It concludes with a preliminary examination of development indicators and how they can be adapted to better examine the complementary relationship between environment, human rights and sustainable human development.

[View Source](#) [hdr.undp.org]

Human Rights and the Environment: Proceedings of a Geneva Environment Network Roundtable

Organization: *United Nations Environment Program*

Date: July 2004

Brief Description

This report is a compilation of short papers written by international experts on the environment and human rights. Each paper was the basis for a discussion at the Geneva Environment Network Roundtable. The report is broken down as follows:

- Key questions concerning the human rights and environment debate: An introduction
- The challenges of human environmental rights
- Proceduralizing environmental rights: the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters in a Human Rights Context
- Human Rights and the Environment
- Environmental Human Rights in South Asia : Towards stronger participatory mechanisms
- Human Rights and the Environment : the perspective of the human rights bodies

[View Source](#) [environmenthouse.ch] [PDF]

Human Rights and Environment: Riding the Wave of Change and Opportunity in the Americas - Exploring the Sustainability Development concept in Latin America

Author: Jorge Taillant

Organization: *Center for Human Rights and Environment*

Date: 2004

From the Authors

In the last quarter of the past century, Latin American countries witnessed important social, economic and political changes, which enabled them to focus on diverse issues such as the environment. Following the premises discussed in the Stockholm conference on the Human Environment in 1972 and the Earth Summit in 1992, these countries included the sustainable development concept in their social and economic policies.

Through the analysis of Latin America's constitutions and the study of San Salvador Protocol, this article evaluates how the environmental approach influences the regional policies and institutions.

At the same time, the article explores:

- Latin America's nascent focus on human rights and environment
- Human rights and environmental advocacy strategies

The paper concludes that Latin America's new development approach is based on human rights protection. This means that development is seen as the achievement of poverty and discrimination reduction, as well as the improvement of living conditions. Simultaneously, it states that Latin American countries are aware of the importance of adequate environmental conditions for development.

[View Source](#) [Global Development Network] [DOC]

Indigenous Peoples and Climate Change

Authors: Edited by Jan Salick & Anja Byg

Organization: Tyndall Centre for Climate Change Research

Date: May 2007

From the Editors

At a recent two-day symposium (April 12-13, 2007) at the Environmental Change Institute of Oxford, researchers from different disciplinary backgrounds from the humanities and social sciences to the natural and physical sciences, as well as representatives of academic, research, and non-profit organisations gathered to discuss how indigenous and other local peoples are affected by global climate change, and how they perceive and react to these changes. The focus was not only on the plight of indigenous peoples, but also on their resourcefulness and active responses to climatic variation. We discussed how to promote indigenous peoples voices and actions within climate change policy, research and actions. This synthesizes these presentations, findings and discussions of the symposium and offers links to several relevant documents for further reading.

[View Source](#) [tyndall.ac.uk] [PDF]

Integrating Human Rights into Energy and Environment Programming: A Reference Paper

Authors: Emilie Filmer-Wilson with Michael Anderson

Date: May 2005

From the Authors

This paper explains the relevance of human rights to energy and environment programmes. It introduces the main theoretical issues related to human rights and energy and environment, and identifies the strategic entry points for integrating human rights into programming. Based on the experience of development organisations, the main issues and challenges that arise in adopting a human rights-based approach to programming is also discussed. Following on from this paper, practitioners will need specific practical guidance and tools. The draft checklist included in this paper is such a practical tool.

[View Source](#) [hurilink.org] [PDF]

Losing Ground: The Human Rights Impacts of Oil Palm Plantation Expansion in Indonesia

Organization: Friends of the Earth, LifeMosaic & Sawit Watch

Date: February 2008

Brief Description

The full effect of the "Agrofuels" phenomenon is yet to be fully understood. The increased demand for agricultural products to be converted into fuels has had an impact on the international price of food and, according to this report, local environments and the living conditions of those people farming these agrofuel crops.

This report highlights the urgent need to address the potential human rights implications of transforming vast areas of land into industrial plantations for agrofuel development in

Indonesia, and elsewhere in the developing world.

[View Source](#) [foe.co.uk] [PDF]

Oil and Human Rights

Author: Ayesha Dias

Organization: *Oil, Gas & Energy Law Intelligence*

Date: March 2003

Brief Description

The environmental and human impacts of oil development has been devastating. The tragic legacy of the oil industry in Africa, Amazonia and in several other parts of the world include a legacy of displacement of indigenous peoples and their livelihood, environmental pollution, loss of biological diversity, deforestation, impoverished communities, severe health problems and often prostitution, alcoholism that have infiltrated in the surrounding oil communities.

As the quotation above demonstrates, oil development can often be quite detrimental for local communities. From outright human rights violations in the form of indigenous peoples' displacement to indirect human rights violations in the form of environmental degradation, causing health and social problems, there are several negative externalities to the development of the oil and gas industry. But yet the demand is so strong and the reward for the state (via government royalties) so great, that there is seemingly little that can be done.

This article offers an examination of this industry and helps to explain why oil companies have acted the way they have. Beyond that, the article examines some of the potential solutions, including the promotion of corporate social responsibility.

[View Source](#) [gasandoil.com]

Journal References

Flowers, Diamonds, and Gold: The Destructive Public Health, Human Rights, and Environmental Consequences of Symbols of Love

Author: Martin Donohoe

Journal: *Human Rights Quarterly*

Date: February 2008

From the Author

On Valentine's Day, anniversaries, and throughout the year, suitors and lovers buy cut flowers and diamond and gold jewelry for the objects of their affection. Their purchases are in part a consequence of timely traditions maintained by aggressive marketing. Most buyers are unaware that in gifting their lovers with these aesthetically-beautiful symbols, they are supporting industries which damage the environment, utilize forced labor, cause serious health problems, and contribute to violent conflicts. This article reviews the health and environmental consequences of, and the human rights abuses associated with, the production of cut flowers, gold, and diamonds. Recommendations to improve the safety of production standards are offered, as well as alternative gift suggestions which do not promote environmental

degradation, human suffering, and death.

[View Source](#) [muse.jhu.edu] [Full Text available for purchase via Project Muse.]

Can the Human Rights Bodies be Used to Produce Interim Measures to Protect Environment-Related Human Rights?

Authors: Severine Fiorletta Leroy

Journal: *Review of European Community & International Environmental Law*

Date: April 2006

From the Author

International environmental law does not protect individuals as such. On the other hand, human rights do not formally encompass the right to a healthy environment. This article argues that human rights bodies are suitable forums to protect environment-related human rights. They can do so by producing interim measures to prevent States' actions or inactions towards the environment from infringing on human rights, even if the harmful character of those actions is uncertain. It is demonstrated that the recourse to the precautionary principle is possible to achieve such anticipatory protection and is supported by recent developments in the International Tribunal for the Law of the Sea and the International Court of Justice. In particular, the article shows that human rights bodies can develop interrelationships and interdependency between rights of different normative values in different areas of international law that will lead to equitable interim measures prescribing positive obligations that are reasonable and appropriate.

[View Source](#) [blackwell-synergy.com] [Available for purchase through Blackwell Synergy]

Book References

Linking Human Rights and Environment

Authors: Romina Picolotti & Jorge Daniel Taillant

Publisher: *University of Arizona Press*

Date: 2003

From the Authors

All over the world, people are experiencing the effects of ecosystem decline, from water shortages to fish kills to landslides on deforested slopes. The victims of environmental degradation tend to belong to more vulnerable sectors of society - racial and ethnic minorities and the poor - who regularly carry a disproportionate burden of such abuse. Increasingly, many basic human rights are being placed at risk, as the right to health affected by contamination of resources, or the right to property and culture compromised by commercial intrusion into indigenous lands.

Despite the evident relationship between environmental degradation and human suffering, human rights violations and environmental degradation have been treated by most organizations and governments as unrelated issues. Just as human rights advocates have tended to place only civil and political rights onto their agendas, environmentalists have tended to focus primarily on natural resource preservation without addressing human impacts of

environmental abuse.

This book brings together contributions from human rights and environmental experts who have devoted much of their work to unifying these two spheres, particularly in the legal arena. It presents a variety of issues and approaches that address human rights and environmental links, demonstrating the growing interrelationship between human rights law and environmental advocacy.

[View Source](#) [uapress.arizona.edu]

Multimedia & Tools

Approach to Climate Change Should Be Rooted in Human Rights

Author: Mary Robinson

Date: January 2007

Brief Description

In this video, Mary Robinson calls for policymakers to adopt an approach to climate change that is rooted in the international human rights framework.

She argues that: "We can no longer think of climate change as an issue where we the rich give charity to the poor to help them cope. Rather, this has now become an issue of global injustice that will need a radically different approach.

"Climate change has already begun to affect the fulfillment of human rights," she added, "and our shared human rights framework entitles and empowers developing countries and impoverished communities to claim protection of these rights."

Making her statements in a lecture at Chatham House in London, Robinson argues for a revival of the multilateral spirit that led to the global eradication of smallpox and the phasing out of CFC gases.

[View Source](#) [realizingrights.org]

Earthrights International

Brief Description

ERI is a nonprofit group of activists, organizers, and lawyers with expertise in human rights, the environment, and corporate and government accountability. ERI has offices in the U.S. and Southeast Asia.

What they do:

- **Document** human rights and environmental abuses in countries where few other organizations can safely operate. We expose and publicize earth rights abuses through campaigns, reports and articles.
- **Organize** the human rights and environmental activist communities around earth rights

issues. We are at the forefront of the movement to hold corporations accountable for fair human rights, labor, and environmental practices no matter where they do business.

- **Litigate** in U.S. courts on behalf of people around the world whose earth rights have been violated by governments and transnational corporations. For earth rights abuses against villagers in Burma, we brought the landmark lawsuit, Doe v. Unocal Corp.
- **Teach people** about their earth rights and remedies, especially people living under repressive regimes. We train villagers and refugee women to testify at the United Nations and other international agencies. We run the EarthRights Schools for activists in Southeast Asia and in the Amazon.
- **Advocate** for those who have been harmed, and fight for better earth rights protections at every level, from the local to the international.

[View Source](#) [EarthRights.org]

Keysheets on Climate Change and Poverty - A DFID Tool

Organization: *Department for International Development, UK Government*

Brief Description

This page contains several different documents published by the UK government on the subject of climate change and poverty. Called "key sheets," the documents are aimed at DFID staff and development partners on the impact of climate change on poverty - focusing on vulnerability, health and pro-poor growth.

[View Source](#) [dfid.gov.uk]

United Nations Human Rights and Environment Background Information

Brief Description

This site offers background papers from a seminar that was held on January 16, 2002 by the Commission on Human Rights and involved both the United Nations High Commissioner for Human Rights and the United Nations Environment Program. The six background papers offer perspectives into various international and national topics relating to human rights and the environment. Also provided on the site is a conclusion paper from the seminar itself.

[View Source](#) [unhchr.ch]

Sources: Center for Human Rights and Environment, EarthRights.org, Friends of the Earth, LifeMosaic & Sawit Watch, Human Rights Quarterly, HuRiLiNK, Multilaterals Project, Tufts University, Office of the High Commissioner for Human Rights, Oil, Gas & Energy Law Intelligence, Department for International Development, UK Government, RealizingRights.org, Review of European Community & International Environmental Law, RightToFood.org, Tyndall Centre for Climate Change Research, United Nations Environment Program, Wuppertal Institute on Globalisation

The opinions expressed in the material presented in this newsletter are those of their authors and not Human Rights Internet. If you have any feedback, please e-mail subscriptions@hri.ca

Human Rights Internet, 1 Nicholas St. Suite 301, Ottawa, ON. K1N 7B7

To unsubscribe or change subscriber options visit:

<http://www.aweber.com/z/r/?rCwszBzMtCxMjGwszAxstEa0zMyMLBzsJA==>