

Brussels, the XX of January 2021

M. Andrej Vizjak, Environment Minister
Anže Logar, Foreign Minister

Dear M.

We closely follow your endeavours at the UN level in order to make the right to a healthy and sustainable environment a fundamental right, along with the right to life, to health, to food and to water. We are very grateful for your efforts and wish to offer you every support. Slovenia is indeed the first and only EU Member State to date to act for this recognition at the UN level. Thus, it is in our view that Slovenia should use the occasion of the upcoming Presidency of the Council to call, on behalf of the EU, this recognition at the EU and international level.

As Slovenia and four other States rightly pointed out during the UN Human Right Council meeting last September 24, the recognition of this right at the international level would indeed be a major step forward for our own and future generations. We are also convinced that human rights cannot be properly protected without a real protection and respect of nature, as both must be done hand in hand. Indeed, the crisis the world is facing today reminds us of the interdependence between human rights and the protection of the Earth and its boundaries.

In its resolution of 22 October 2020 (*2020/2006 INL EU legal framework to halt and reverse EU-driven global deforestation*), the European Parliament formally called “the European Union and its Member States to support at the next UN General Assembly, the global recognition of the right to a healthy environment”. To this end, we recently asked the Council and the Commission to act and push for the recognition of this fundamental right at the UN level. The European Union should now take the opportunity, not only to call for the recognition of this right at the UN level, but also to work on policies ensuring the enforcement of this right.

Whereas the first Conference of the United Nations on the Human Environment in 1972 early expressed the fundamental right to live in a healthy environment, no concrete action has been taken at the UN level in order to ensure the effectiveness of this right. Besides, the European Union has not fulfilled its role as a key actor pushing for the respect of this fundamental right at the international level. And yet, we are convinced that human rights cannot be properly protected without a real protection of nature, as both must be done hand in hand. Indeed, the crisis the world is facing today reminds us of the interdependence between human rights and the protection of the Earth and its boundaries.

Furthermore, we are calling for concrete actions from the European institutions in their trade and diplomatic relationships in order to guarantee the effectiveness of the right to a healthy environment, not only for European citizens but also for all the world citizens. It is our view

that the European Union should now take the opportunity, not only to call for the recognition of this right at the UN level, but also to work on policies ensuring the enforcement of this right.

Finally, we would very much like to see European institutions acting for the recognition of this right in the European Convention on Human Rights, which is the only regional human rights instrument that does not recognize this right among fundamental rights. As suggested by the UN Special Rapporteur on human rights and the environment, David R. Boyd, and recommended twice by the Parliamentary Assembly of the Council of Europe in 1999 and again in 2009, one possible path would be to work on an additional protocol to the European Convention on Human Rights. The upcoming Slovenian Presidency of the Council should also be the occasion to call for the adoption of such a protocol in order to support their efforts.

We will naturally be glad to help you in this regard and to support your efforts in that direction.

We thank you in advance for your consideration.

Yours sincerely,

MARIE TOUSSAINT, *GREENS/EFA*

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