



What companies need to know about the new human right to a clean, healthy and sustainable environment

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On 28 July 2022, the UN General Assembly adopted [a resolution](#) recognising a human right to a clean, healthy and sustainable environment. It has called on States, international organisations, business enterprises and other relevant stakeholders to scale up efforts to realise this right for all.

The resolution is based on a similar [resolution](#) adopted in October 2021 by the UN Human Rights Council. However, the UN General Assembly comprises representatives of all 193 Member States – meaning that the right to a clean, healthy and sustainable environment now enjoys widespread recognition.

So, what does this mean for business?

A clear direction of travel towards integration of human rights and the environment

The need for corporations to approach human rights and environmental challenges in a joined-up way is enjoying rapidly growing recognition, although obstacles remain.

UN High Commissioner for Human Rights, Michelle Bachelet, [noted](#) that this resolution 'reflects that all rights are connected to the health of our environment'. In other words, a clean, healthy and sustainable environment is an essential foundation for the realisation of all human rights and a [development trajectory](#) that leaves no one behind.

The interlinkages between environmental and human rights issues have been recognised by experts and advocates for decades, and are also reflected in the just transitions movement. However, in recent years, we have seen rapidly growing recognition of the need to address these issues in a more holistic and coordinated way.

The direction of travel is clear, and the UN General Assembly resolution will help accelerate the shift. It seems prudent to anticipate that a joined-up approach to managing environmental and human rights issues will become a baseline expectation of businesses around the world.



The resolution will influence law and policy around the world

Following the resolution, a human right to a clean, healthy and sustainable environment is now part of the international human rights framework. General Assembly resolutions are not legally binding. However, they influence legal and policy developments at the international level, as well as at regional and national levels. This resolution is [expected](#) to be a catalyst for more ambitious action.

Business practitioners can expect international institutions and civil society organisations to be proactive in leveraging UN General Assembly recognition of this new right to promote and advocate for stronger action to address environmental impacts (including climate change).

We are already seeing a more holistic approach to addressing human rights and environmental issues in emerging mandatory reporting and due diligence requirements in Europe, as well as in other policy initiatives directed at advancing responsible and sustainable business practices.

Courts are also drawing on human rights and environmental standards when considering cases pursued against both business enterprises and government authorities, and there is a growing trend of climate litigation in which claimants allege a breach of human rights (see, for example, last year's [landmark judgment](#) of the District Court of The Hague against Royal Dutch Shell).

Business practitioners should note that the content and scope of the right to a safe, clean and sustainable environment have not yet been clearly defined.

Businesses will need to show they respect the right to a clean, healthy and sustainable environment

Businesses should prepare to meet stronger expectations that they take a holistic and coordinated approach to managing human rights and environmental issues – from governments, investors, other business partners and civil society organisations.

We've heard in our conversations with businesses' human rights managers around the world that de-siloing these areas of work is not easy. However, recognition of a right to a clean, healthy and sustainable environment brings these connections explicitly into the scope of a company's responsibility to respect human rights.

Business practitioners should assess the implications of this new right for their human rights programmes. For example, revisit your company's:

- **Policy commitment** to ensure it encompasses the right to a clean, healthy and sustainable environment – and, where appropriate – links to relevant environment and climate-related policies.
- **Internal governance and accountability frameworks** to ensure appropriate coordination and oversight across human rights and environmental issues.
- **Salient human rights issues** – should these include the new right to a clean, healthy and sustainable environment?
- **Human rights due diligence processes** – what changes may be needed to ensure risks to the right to a clean, healthy and sustainable environment are identified and addressed effectively?
- **Stakeholder engagement** to ensure that it is engaging effectively with people affected by impacts to the right to a clean, healthy and sustainable environment, as well as other stakeholders with an interest in how the company manages risks relating to this right.
- **Grievance mechanisms and other remediation processes** to ensure that concerns about impacts on the right to a clean, healthy and sustainable environment can be raised by affected people.

Also consider enablers of effective human rights action. For example, you may well need to build stronger relationships with relevant colleagues (for example, from environment and climate teams) to be able to coordinate and collaborate to ensure effective and joined-up human rights and environmental risk management. And your senior management or colleagues in key functions or business units may now also require additional training or support.

For more practical insights, you can find relevant resources on the [GBI Business Practice Portal](#).