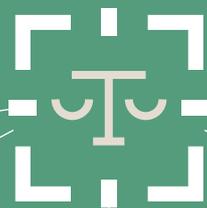


Promoting environmental justice

Securing our right to a clean,
healthy and sustainable environment
through UNDP programming



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The United Nations Development Programme (UNDP) is the leading United Nations organization fighting to end the injustice of poverty, inequality, and climate change. Working with our broad network of experts and partners in 170 countries, we help nations to build integrated, lasting solutions for people and planet.

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The urgency of promoting environmental justice

All people depend on the environment in which we live. A healthy ecological environment is necessary for the full enjoyment of human rights, including the right to a dignified life, health, housing, food, water and sanitation. However, the global trends we are experiencing today confirm this evidence: the overexploitation of natural resources, the planet's pollution, the increased frequency and intensity of natural disasters and other phenomena associated with climate change threaten to reverse decades of development and exacerbate poverty.

Indeed, the **triple planetary crises of climate change, nature loss, and pollution is directly and indirectly impacting human rights globally**. These crises undermine the enjoyment and protection of human rights and exacerbate environmental injustices, disproportionately affecting the most vulnerable, marginalized and excluded people and communities; they also act as threat multipliers, amplifying conflicts, tensions and structural inequalities. The COVID-19 pandemic further aggravated this scenario, exposing deep inequalities in the distribution of wealth and resources, in the promotion of justice and security, and in the protection of human rights. **Notably, as these crises intensify, they constitute the greatest challenge to human rights in our era.**

This critical connection between human rights and environmental protection makes the pursuit of environmental justice an urgent priority. Without a clean, healthy and sustainable environment, there cannot be economic or social development, nor environmental justice. Recent global policy developments have emphasized this urgency.

“Our world faces a triple planetary crisis of climate change, nature loss and pollution. This triple crisis is our number one existential threat.”

Antonio Guterres, UN Secretary General

In October 2021, the Human Rights Council (HRC) adopted a **landmark resolution on the “human right to a clean, healthy and sustainable environment”** (R2HE) providing historical recognition of the right at international level. The resolution highlights the right as key to the enjoyment of other human rights, reaffirms States' obligation to respect, protect and promote human rights in actions to address environmental challenges, and encourages cooperation between States, UN agencies and other stakeholders to promote the implementation of the right.

The **UN Secretary General's Call to Action on Human Rights (C2A)** highlighted the need to increase UN support for the promotion of the right to a safe, clean, healthy and sustainable environment (R2HE) and for access to justice and effective remedies for environment-related concerns, emphasizing the need to protect the rights of future generations; protection mechanisms for human rights defenders and environmental activists; and strengthening the UN's partnership with the business sector on environment protection and climate change.

The human rights impact of today's planetary crises

The effects of the triple planetary crises are directly and severely impacting the enjoyment and protection of a broad range of human rights such as the rights to life, health, food, water, property and privacy; the collective rights of indigenous peoples to their ancestral lands and resources; and the right to a healthy environment. Some facts and figures:

- **The effects of climate change on land and natural resources are affecting food security.** Rising global temperatures are expected to increase desertification (water scarcity), land degradation (soil erosion, vegetation loss, wildfire, permafrost thaw), crop yield and food supply instabilities, jeopardizing the enjoyment of all people's **right to food**. For example, **in Madagascar**, thousands of people face extreme hunger due to "the world's first climate change-induced famine".
- **Air pollution is considered one of the biggest environmental threats to human health** resulting in an estimated 7 million premature deaths every year. This poses a direct threat to the **rights to health and life**. For example, low- and middle-income countries in the **South-East Asia and Western Pacific Regions** have some of the greatest environment-related disease burden, mostly related to indoor and outdoor air pollution.
- Over **30 million people were newly displaced by natural disasters in 2020** alone. This represented three times the number of persons displaced by conflict during the same year, posing a direct threat to the **rights to adequate housing, education, health and security, among other rights**. East Asia, the Pacific and South Asia were **reported** to witness approximately 70 percent of global disaster displacement in 2020.
- Declining rainfall and changing rain patterns pose significant threats to the **right to water**. This is particularly challenging in the **Middle East and North Africa**, where rainfall is projected to decline by 20 to 40 percent in a 2°C hotter world – and up to 60 percent if warming reaches 4°C, affecting millions.
- **Rights of vulnerable groups** are also at risk:
 - **Women and girls rights'** are **differently and disproportionately affected by climate change**, and its impacts **reinforce pre-existing gender inequalities** on issues such as gender based violence, and rights of access and tenure over land and natural resources.
 - **Indigenous peoples and local communities (IPLCs)** account for 15 percent of the very poorest globally, and **this situation is increased by the growing impact of climate change** and biodiversity loss.
 - **Rights of children** are disproportionately impacted by natural disasters, changing precipitation patterns, food and water shortages, and transmission of communicable diseases. **These factors threaten the enjoyment by children of their rights** to health, life, food, water and sanitation, education, housing, culture, and development, among others. As an example, by 2030 climate change could result in an additional 7.5 million children under the age of five to be moderately or severely stunted.

2

UNDP's approach to promoting environmental justice

What do we mean by environmental justice?

UNDP's environmental justice strategy

conceptualizes environmental justice (including climate justice) as **promoting justice and accountability in environmental matters, focusing on the respect, protection and fulfilment of environmental rights (chiefly the R2HE) and the promotion of the environmental rule of law**. As such, environmental justice is a guiding concept for promoting development within planetary boundaries.



The **right to a clean, healthy and sustainable environment** is recognized both at international level by the Human Rights Council (HRC), as well as at national level in more than more than 155 States in some form (e.g. through international or regional agreements, national constitutions, legislation or policies). While there is no internationally agreed definition of the right, it is **generally understood** to include a set of:

- > **procedural rights**: access to justice, access to information and public participation on environmental matters; and
- > **substantive rights**: clean air, a safe climate, healthy ecosystems and biodiversity, safe and sufficient water, healthy and sustainably produced food, non-toxic environments (pollution).

Accordingly, realizing the right to a clean, healthy and sustainable environment includes realizing all these rights mentioned above, as well as putting in place, enforcing and implementing an enabling legal framework in each of these thematic areas. Notably, **the right has had catalytic outcomes for environmental protection in countries where it has been incorporated in the legal framework**.

UNDP's mandate and comparative advantage in promoting environmental justice

UNDP is well-positioned to be a convener and a strategic stakeholder in the promotion of the **rule of law** and human rights for environmental justice. UNDP has a mandate to end poverty, build democratic governance and inclusive institutions, and strengthen the rule of law.

Environmental justice issues cut across all six of **UNDP's signature solutions**, and UNDP's experience and expertise builds on its **rule of law and human rights, governance** and **nature, climate and energy** work while also touching upon key areas such as crisis prevention and livelihoods. The UNDP Global Policy Network promotes **an integrated approach** linking conflict prevention, climate security, social cohesion and peacebuilding, to prevent, respond and recover from crisis and conflict.

Further, UNDP is the largest operational and programmatic development agency in the UN system, and within UNDP, there is strong capacity to operationalize these issues through comprehensive programmatic offers on the ground - through technical expertise and its wide network of Regional Hubs and Country Offices (COs). UNDP is actively supporting communities vulnerable to environmental injustice, including those living on the frontlines of climate change. Through the **Climate Promise**, for example, UNDP works with 120 countries to reduce greenhouse gas emissions and meet the challenges of climate change.

A three-pronged approach for promoting environmental justice

UNDP promotes environmental justice through a **three-pronged approach**:

- **Establishing enabling legal frameworks¹** at national and international levels, applying innovative and **human rights-based approaches (HRBA)** for respecting, protecting and fulfilling environmental rights, chiefly the R2HE, and other human rights affected by the planetary crises.
- **Strengthening people-centred and effective institutions**, especially those related to justice and human rights, to ensure they are accessible to all, and are equipped to monitor, enforce and implement environmental laws, and to respect, protect and fulfill the environmental rights of current and future generations.
- **Increasing access to justice and legal empowerment in environmental and climate change matters**, so that people can be active players in countering the planetary crises by enforcing, claiming and defending their environmental rights, and directly contribute to policy change.

Based on this approach, clear opportunities exist to harness the broad scope of expertise to strategically support environmental justice initiatives and achieve goals at the national level. Notably, challenges arising from the triple crisis require the pursuit of environmental justice as a key priority, with the respect, protection and fulfillment of human rights and the promotion of the rule of law as intrinsically intertwined efforts. UNDP's existing work in several areas can be leveraged to strengthen a dedicated and targeted offer for COs on this topic. UNDP's work at the national level is often integrated and involves either the contributions of multiple UNDP teams or is carried out by a singular team holding multiple mandates (for instance, rule of law and governance). This model of programmatic integration – including a portfolio approach – can help ensure that UNDP's support to environmental justice is conducted in a systematic and holistic way.



In Lebanon, UNDP implemented two phases of the Project '**Institutional Strengthening of the Ministry of Environment (MoE)**', which focuses on strengthening of the capacity of the MoE along 3 interrelated building blocks by: (i) carrying on the environmental policy development in terms of laws, regulations and other policy mechanisms; (ii) mainstreaming SDGs in local development planning and programming; and (iii) pursuing the MoE institutional strengthening and capacity building processes with a focus on environmental monitoring.

¹ A legal framework may include many subsystems, such as formal state laws, customary and traditional practice or laws, religious legal systems or international law. It is understood here to include constitutional and other legislation, strategies and policy, rules and regulations. As emphasized below, support should aim at both the development, as well as enforcement and implementation of the legal framework.

3

Getting started: Environmental justice programming

UNDP COs are rising to challenges related to environmental justice and many are already implementing initiatives that can be built upon. As COs embark on more targeted environmental justice initiatives, the following subsections provide guidance on how to define and design such interventions.

Identifying priority areas for support at the national level

In designing targeted interventions at CO level, it is important to obtain a comprehensive picture of key challenges related to the environmental rule of law, and the enjoyment of environmental rights at the national level.

Numerous data and information sources exist to provide up-to-date information. These include, but are not limited to:

- The latest [UN Common Country Analysis \(CCA\)](#) and the [UN Sustainable Development Cooperation Framework \(UNSDCF\)](#) documents, which constitutes the UN system's independent, impartial and collective assessment and analysis of a country situation, examining progress, gaps, opportunities and bottlenecks vis-à-vis a country's commitment to achieving the 2030 Agenda, UN norms and standards, and the principles of the UN Charter.

✂ [Resource: Guidance note on Integrating the Environment and Climate Change in Processes for United Nations Sustainable Development Cooperation Frameworks.](#)

- The latest report from the [Voluntary National Review \(VNR\)](#), through which countries assess progress made in implementing the 2030 Agenda and the SDGs.
- The latest [Sustainable Development Report](#), (formerly the SDG Index & Dashboards), which assesses where each country stands with regard to achieving the SDGs.

- Recommendations from the UN Human Rights mechanisms which are increasingly including environmental and climate change issues. This includes: the Human Rights Council's **Universal Periodic Review (UPR)** process, and also human rights **Treaty Bodies**. Notably, in the 3rd cycle of the UPR (2020-2021) approximately 250 recommendations on climate change were. This growing trend supports increased engagement by UN Country Teams (UNCTs) and UN entities around these matters;

✂ [Resource: UN Good Practices – How the Universal Periodic Review Supports Sustainable Development, 2022.](#)

- Reports and data from the Human Rights Council **special procedures**, which are increasingly dealing with human rights impacts of environmental challenges including climate change. Many **mandate holders** have relevant a relevant thematic focus, however of particular note are the below mandates:
 - The **Special Rapporteur on Human Rights and the Environment** thematic reports and reports from country visits, in which key challenges related to the state of the relationship between human rights and the environment are studied in a given country.
 - The newly appointed **Special Rapporteur on the promotion and protection of human rights in the context of climate change.**
- Data on the implementation of Multilateral Environmental Agreements (MEAs) the country has ratified, as well as other relevant human rights instruments.

Several **legal and policy databases** offer information about existing laws and policies in the country and also allow for comparative research and inspiration from examples of other countries:

- **ECOLEX**: database of environmental treaties, laws and policies maintained by UN Environment;

- **FAOLEX**: database of laws and policies maintained by the Food and Agriculture Organization of the United Nations (FAO);
- **Law and Climate Change Toolkit**: a global resource to help countries develop legal frameworks for the effective implementation of the Paris Agreement and their nationally determined contributions, featuring a legislative explorer and a legal assessment questionnaire;
- **Climate Change Laws of the World**: a global database of climate change laws, policies and litigation.

Reference can also be made to **regional-specific** data and information, including for example data on **implementation** of the Escazú Agreement in Latin America and the Caribbean, or reports of the annual **Forum of Ministers and Environmental Authorities of Asia Pacific**.

All environmental justice interventions should be defined and designed based on a sound analysis of the specific context. This analysis may include the **Conflict and Development Analysis, gender analysis**, and political economy analysis (for example **Institutional and Context Analysis**). This analysis should include identifying the barriers, gaps and drivers of environmental injustice and/or the lack of compliance with existing environmental justice frameworks, and the opportunities for change.



The revised **UNDP Social and Environmental Standards (SES)**, 2019, is an organization wide policy that requires all UNDP programming to maximize social and environmental opportunities and benefits and ensures that adverse social and environmental risks and impacts are avoided, minimized, mitigated and managed. The SES seek to support governments to adhere to their human rights obligations and empower individuals and groups to realize their rights and to ensure that they fully participate throughout UNDP's programming cycle; climate change and biodiversity conservation are among the key standards to be applied.

Emerging areas for environmental justice interventions

Once priority areas for supporting environmental justice challenges have been identified through a robust analysis, it is necessary to conceptualize and flesh out context-specific interventions that seek to address these challenges. The areas of potential intervention detailed below have been identified through a broad consultation with UNDP staff, including a webinar on environmental justice held on 26 October 2021. They serve as indicative entry points that may be explored within each of the three prongs:



ESTABLISHING ENABLING LEGAL FRAMEWORKS FOR ENVIRONMENTAL JUSTICE

Promote the integration of the R2HE and other environmental rights in national constitutions and legal frameworks, as well as within international frameworks:

At the international level:

- Advocating for and engaging in multilateral forums on issues such as the recognition of the R2HE (N.B. as of June 2022, it was expected that the UN General Assembly would also consider this issue for a resolution); the increased recognition and protection of the rights of future generations and the implementation of the C2A; the inclusion of human rights in **the Post-2020 Biodiversity Framework** and on Nationally Determined Contributions (**NDCs**);



The **Secretary-General's Call to Action for Human Rights (C2A)** has a priority thematic focus on the rights of future generations, which is a **UN system wide effort, co-led by UNDP, UNEP and the OHCHR** through a thematic task team. The C2A recognizes that for climate actions and sustainable development to achieve their objectives, they must be informed by human rights, including the rights of present and future generations to a healthy environment. The task team has identified 5 priorities including support to NHRIs, which has led to outcomes such as a guidance document on how to monitor human rights implications of climate change (to be published in August 2022) and a climate caucus of NHRIs, among others.

At the national level:

- Assisting with constitutional and legal reform processes to incorporate the R2HE and other environmental rights and provisions. This can include:
 - Promoting public debate and awareness raising on the challenges and benefits of the recognition and incorporation of the right, and its implementation in practice.



UNDP Accelerator Labs are using collective thinking, **behavioural change assessments**, public awareness campaigns using social marketing tools, and more to mobilize people around environmental issues.

- Enabling inclusive and participatory processes in which all affected stakeholders have a say in legal matters and policy-making, including local communities and vulnerable groups.
- Provision of technical support for constitutional and legal reform itself, providing advice on legal drafting and design, including oversight and accountability mechanisms; as well as implementation and enforcement support.
- ✂ **Resource:** **Guidance Note on Constitution-Making Support**, 2016: includes environmental considerations, including the need for clauses on environmental protection and natural resources.
- Public awareness raising and participatory decision-making processes, which are important not only for ensuring legal frameworks are responsive and people-centred, but also for mobilizing civilian oversight for future implementation of and compliance with environmental legal frameworks.
- ✂ **Resource:** UN Special Rapporteur on Environment and Human Rights – **Right to a healthy environment: good practices**, 2019.



In **Viet Nam, UNDP supported the Government** in the development of the Biodiversity Law; the revision of the Environmental Law, to include specific community participation rules in the process of Environmental Impact Assessment; and the Disaster Risk Management Law.

- Assisting government partners to:
 - Harmonize national standards and rules related to environmental issues with those recognized at the international level; and
 - Enforce and implement existing provisions, for example through developing operationalizing rules, regulations and procedures, establishing intra-governmental coordination mechanisms, and capacity development of relevant staff and agencies.



UNDP has extensive experience in providing assistance on constitutional reform processes, as well as constitutionalizing institutions, such as independent courts, NHRIs, and Ombudsman's Offices, that are central to protecting and promoting environmental rights. UNDP has supported the governments in Tuvalu and The Gambia, including providing advice on environment related human rights and environmental protection.

Support governments to fulfil their international human rights obligations¹:

- Support recommendations from human rights mechanisms, including the UPR, which have a growing focus on human rights implications of environmental challenges and climate change.²
- ✂ **Resource:** Report: **UN good practices – How the universal periodic review process supports sustainable development**, 2022.

1 Quadrennial Comprehensive Policy Review resolution, [A/RES/75/233] on 21 December 2020, para 28 'recognizes the UN contribution to the promotion of all human rights for sustainable development.... (and)... to assist Governments upon their request... In their efforts to respect and fulfil their human rights obligations under international law, as a critical tool to operationalize the pledge to leave no one behind'.

2 Of note, supporting member states to meet their human rights obligations is an operational activity for development. See: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/381/87/PDF/N2038187.pdf?OpenElement>

- Support National Human Rights Institutions to provide rights-based and technical oversight and advice to legislative processes strengthening the legal framework.

Support countries in developing, implementing and enforcing policies and legislation in key areas for environmental justice:

- Climate change mitigation and adaptation.



UNDP's **Climate Promise** is the world's largest offer of support for the enhancement of countries' climate pledges, supporting Nationally Determined Contributions (NDCs) and working to address climate justice through a rights-based approach, which also focuses on procedural justice, intergenerational equity and gender equality.

- Biodiversity and ecosystem conservation, sustainable management of natural resources.
- Pollution prevention and control.



With WHO, the World Bank, and other partners, UNDP launched the **Health and Energy Platform of Action**, which focuses first on indoor air pollution.

As an example of a local project, UNDP local office in North Macedonia has carried out the "**Tackling Air Pollution in Skopje**" project during the period 2019-2021. The project featured four main components, including Component 2 focused on implementing regulatory changes necessary to transition towards a lower emission household energy system.

- Rights of public participation, including for women, youth and vulnerable and marginalized communities; increased access to information; and people-centred access to justice.
- Disaster risk reduction and the protection of human rights related to environmentally-led migration/displacement.
- Gender equality on environmental issues.

✂ Resources:

- Blog Post – **Gender equality: A cornerstone for environmental and climate justice**, 2022.
- Gender **Resource Guide for Climate Change**, 2009.
- **Key elements to include gender equality and women's empowerment in climate policies and Nationally Determined Contributions (NDCs)**, 2021.



UNPD's **Gender Responsive NDC Planning and Implementation** programme helps 24 countries integrate gender-responsive measures into their climate targets or NDCs.

Implement targeted measures to support the realization of rights of access and tenure of natural resources, such as water, minerals and land:

- Protecting the tenure rights of IPLCs and women and girls to land and resources, including: i) promoting research and awareness raising on the relationship between challenges of securing tenure of natural resources and their role as a driver of insecurity, conflict and violence; ii) working with national stakeholders to address legal and policy gaps, and supporting efforts to ensure enforcement of such rights.
- Promote public participation and consultations (including free, prior and informed consent - FPIC) between local, regional and national government and affected communities on key issues affecting their access and tenure rights.



The Joint Swedish EPA-UNDP **Environmental Governance Programme** – Mining (EGP): works with Ministries of Mining and Environment, NHRIs, civil society, communities and the private sector to integrate environmental and social concerns and human rights-based approaches into the governance of the mining sector. This includes support for large-, medium- and small-scale mining across all stages of the mining cycle from initial environmental and social impact assessments and licensing through closure.

Strengthen the Business and Human Rights (BHR) programming area to increase the accountability of businesses for environmental justice through measures such as:

- Encourage and support governments to develop and enforce rules on the environmental and climate impact of business activity, to hold businesses accountable for environmental abuses, including illegal dumping and land use violations.



In Thailand, **UNDP's Business and Human Rights Programme supported the development of a National Action Plan** that encompasses environmental considerations, such as to review, amend, revise and propose laws, regulations and measures regarding land management, water resources and climate that are affected by business operations, and laws that affect community rights through the participation process, in collaboration with the Ministries of Agriculture, Natural Resources and Environment and Industry; and promote the enforcement of laws requiring the undertaking of Environmental Impact Assessments.

- Engage with the business sector and member states to implement the UN Guiding Principles on Business and Human Rights, including on environmental matters.
- Support the development of legislation requiring environmental and human rights due diligence and increased transparency through sustainability reporting.
- ✂ **Resource: [Training Facilitation Guide on Human Rights Due Diligence](#), 2021.** This document, developed under UNDP's BHR Programme, makes key contributions to human rights, including on the intersection with environmental protection and climate change. Examples of this intersection include global resources and CO level activities.
- Support for standardization and implementation of Environmental, Social and Governance (ESG) metrics and reporting that advance the SDGs, including climate change mitigation, adaptation, environmental protection, access to socioeconomic empowerment and support to vulnerable groups.



STRENGTHENING PEOPLE-CENTRED RULE OF LAW AND HUMAN RIGHTS INSTITUTIONS TO PROTECT AND PROMOTE ENVIRONMENTAL JUSTICE

Promote judicial reform efforts to increase access to environmental justice especially for the most vulnerable and marginalized:

- Support for establishing or strengthening environmental courts or chambers.
- Facilitate capacity strengthening within the justice sector on climate change and environmental matters, including for judges, police force, customary and informal justice mechanisms where present, as well as with parliamentarians, building on existing UNDP engagement.



UNDP has been supporting the implementation of the "Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean", known as the Escazú Agreement. UNDP Panama has:

- Promoted a **series of webinars** on the implementation of the Agreement with key partners including UNDP's LAC Regional Hub in Panama, in collaboration with UNDP colleagues in the NCE team, the Stockholm University, and other partners.
- Provided **training on access to justice, access to information, and public participation on environmental matters** to lawyers and the Attorney General's Office, and developed a survey on the status of environmental defenders led by the Ministry of the Environment to work with the Ombudsman's Office.

Support NHRIs to promote the review and enforcement of human rights obligations related to the environment. NHRIs' are uniquely positioned as central independent state actors in the promotion and protection of human rights at the national level and as bridges between the national and international protection of human rights.

- Support advocacy for, and undertake capacity building of NHRIs on their key roles to monitor the human rights implications of climate change, bridge gaps between policy-makers and affected

populations; actively receive complaints. NHRIs also follow up on environment-related human rights recommendations stemming from the UPR, the Human Rights Treaty Bodies (HRTBs) and special procedures.



UNDP participates in a **strategic Tripartite Partnership (TPP)** on human rights with the Global Alliance of National Human Rights Institutions (GANHRI) and the Office of the High Commissioner on Human Rights (OHCHR) since 2011, which agreed in October 2016 on a vision for scaling up joint support to national human rights institutions. Under this area of work, UNDP provided support to the GANHRI annual conference on Climate Change and its impacts (Dec 2020) and role of National Human Rights Institutions (NHRIs), which produced a **Joint Statement on Climate Change: The role of NHRIs**; and provides support to NHRIs under the auspices of the Call to Action Thematic Group on Rights of Future Generations.

 **Resource: UNDP-OHCHR Toolkit for collaboration with National Human Rights Institutions**, 2010. This document is a practical guide for UN staff on how to support NHRIs with policy advice, technical assistance and capacity development support from the pre-establishment phase. It includes information on country planning processes and capacity assessments, identifies challenges and opportunities NHRIs may encounter, and suggests how to deal with situations which threaten to undermine their effectiveness. Example of cross cutting integration of human rights into thematic areas include environment and climate change.



In Tanzania, **UNDP supported the Commission for Human Rights and Good Governance** to carry out research, advocacy and handle disputes related to environmental human rights violations.

Encourage and assist government partners to establish coordination mechanisms between relevant sectors and line ministries, including human rights and the judiciary/justice sector, and those responsible for overseeing agriculture and forestry, environment, water and natural resources, fisheries and marine resources, energy and health areas, in order to enhance cross-sectoral capabilities and awareness on the environmental rule of law, and the promotion of environmental rights for all.



INCREASING ACCESS TO JUSTICE AND LEGAL EMPOWERMENT IN ENVIRONMENTAL AND CLIMATE CHANGE MATTERS

Strengthen mechanisms that increase access to justice and legal aid for environmental matters.

- Support civil society organizations (CSOs) and legal professionals, including community paralegals, to advocate for and directly support communities and people affected by environmental degradation and climate change;
- Support for addressing reprisals and for civil society and human rights defenders to seek accountability in relation to environmental issues.



The HRC's Resolution 40/11 recognizes the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development. Yet, in many regions, environmental HRDs are threatened, harassed and even killed, often with complete impunity. A **recent report** reveals that 227 land and environmental activists were murdered in 2020, the highest number recorded for a second consecutive year, and that certain groups are at the greatest risk of abuse and violence: indigenous peoples whose rights, traditional knowledge and practices are critical to global efforts to address environmental degradation, and young women and girls who seek to defend environmental rights.

Support the use of public interest litigation to address environment and climate issues, including on environmental harm caused by businesses.

✂ Resource: LSE [Global trends in climate litigation: 2021 snapshot](#); and UN Environment [Global Climate Litigation Report: 2020 Status Review](#).

Facilitate legal empowerment efforts (empowering people to know, use and shape the law) regarding environmental justice issues, particularly for women, ILPCs, and those displaced by environmental disasters.

✂ Resource: [Namati's Legal Empowerment Network](#).



In Kyrgyzstan, **free legal aid services have been supported all over the country**. About 1,000 representatives of formal and informal justice institutions were trained on the delivery of legal aid. Ten free legal aid centers of the Ministry of Justice are operational in Chui and Osh provinces in Kyrgyzstan. These centers provided 4,756 consultations for 3,952 people: 2,330 (59 percent) women and 1,622 (41 percent) men in 2016. These centers provided free legal aid to 18,091 people and advised 16,807 people on land issues such as land disputes and inheritance. Four pilot legal empowerment centers established at village municipalities held 713 legal consultations and provided legal assistance to 609 people (55 percent female).

4

Strategic measures to underscore UNDP's consolidated offer on environmental justice

Rolling out targeted environmental justice initiatives also include undertaking strategic steps that will enable COs to build a portfolio in this area.

- Support 'seed initiatives' both technically and financially through Phase IV of the Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development, especially those which can contribute to the efforts of a wider umbrella portfolio.
- Undertake efforts in the areas of knowledge management, monitoring and evaluation, to better understand what has and hasn't worked. Lessons learned from previous and ongoing efforts can inform a more strategic approach to environmental justice in other contexts, especially in terms of programme strategy and design.
- Undertake additional research in key areas that will help advance environmental justice. For example, the relationship between conflict, insecurity and environmental justice remains under researched and poorly understood, including in relation to issues of fair and equitable distribution of rights of access and use of natural resources.



The **Climate Security Mechanism (CSM)** is a joint initiative by the UN Department of Political and Peacebuilding Affairs (DPPA), UNDP and United Nations Environment Programme (UNEP). It was established in 2018 with the objective of strengthening the capacity of the UN system to analyse and more systematically address adverse impacts of climate change on peace and security. The CSM works with partners around the world to enhance a gender-sensitive understanding of the issue and to support capacity building efforts in UN entities and regional and sub-regional organizations for the prevention and management of climate related security risks.

- Build internal collaboration across CO teams and between global and country level teams.
- Promote strategic partnerships on environmental justice, including with:
 - Government entities and justice sector stakeholders.
 - International organizations, including for example:

The UNEP is the leading global environmental authority and an agency driving the global environmental agenda. Of particular interest for environmental justice (EJ) related work, UNEP implements a global intergovernmental programme on environmental rule of law, the **Montevideo Environmental Law Programme**. UNEP has confirmed their interest and resources (both technical and financial) to partner with UNDP in rolling out environmental justice initiatives.

The Office of the High Commission of Human Rights (OHCHR) has continued to expand its work in the **environmental sector and climate change**. Further, the work of the **Special Rapporteur on human rights and the environment** has been seminal to further these issues. Joint ventures with OHCHR may include research initiatives, international policy advocacy and policy formulations.

UNODC has long experience working with governments to better prevent and respond to **environmental crimes**, including wildlife and forest crime, crimes in the fisheries sector, illegal mining, and trafficking in precious metals and waste. UNODC has produced teaching material for the **University Module Series on Wildlife Crime**.

The International Development Law Organization's (IDLO) new **Strategic Plan 2021-2024** includes a dedicated Strategic Objective (SO5) focused on climate justice and the sustainable use of natural resources.

The Global Alliance for National Human Rights Institutions, as well as individual NHRIs and their regional networks, have **climate change** and human rights as a key area.

The **Global Judicial Institute on the Environment (GJIE)**, led by the International Union for Conservation of Nature (**IUCN**) in partnership with UNEP and other organizations, aims to support the role of judges, courts, and tribunals to respond to pressing environmental crises.

- Non-governmental organizations (including CSOs and advocacy networks), think tanks, and the private sector.

UNDP's partnership with these actors exists in many sectors covering programme implementation, policy development and advocacy. Interventions related to environmental justice can benefit from existing and new partnerships in all three areas. UNDP should also build on the network of in-country partnerships with the private sector.



Select UNDP resources for environmental justice interventions

Publications

Environmental Justice: securing our right to a clean, healthy and sustainable environment. This technical paper forms the basis for a new UNDP strategy for engaging in environmental justice (including climate justice) as an integrated and collaborative effort that brings together the rule of law, human rights, governance and nature, climate and energy workstreams.

Beyond the Pandemic – the Justice Emergency. Background paper for the UNDP Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development.

UNDP's Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development, **Project Document 2022-2025.**

Green Equity: Environmental Justice for more Inclusive Growth, International Policy Centre for Inclusive Growth, Research Brief No. 19, (Bureau for Development Policy, United Nations Development Programme and the Government of Brazil), 2012.

Environmental Justice: Comparative Experiences in Legal Empowerment, 2014. Published by UNDP's Democratic Governance Group and Energy and Environment Group, the report articulates environmental justice as a key guiding concept that calls for i) legal and social empowerment of the poor, and ii) freedom from inequities that result from entrenched and unsustainable forms of resource use.

Participatory Environmental Monitoring Committees in Mining Contexts: Lessons from Nine Case Studies in Four Latin American Countries, 2019.

Climate Promise Progress Report: Special Edition on NDCs and Inclusivity, 2020.

Human Development Report 2020: Human development in the Anthropocene, 2020.

Legal Frameworks for Civic Space: A Practical Toolkit, 2021.

Internal and external networks of relevance for environmental justice

UNDP Communities of Practice (COPs) that focus on areas related to environmental justice:

- Governance for peaceful, just and inclusive societies;
- Nature-based solutions and climate action; and
- Crisis prevention and resilience

OHCHR, UNDP and UNEP have a partnership to co-leading on the United Nations Secretary-General's Call to Action on Human Rights, in particular the rights of future generations and climate justice. Established in 2020 and led by OHCHR, UNDP and UNEP, the **UN Environmental Management Group - Issue Management Group (EMG IMG)** on Human Rights and the Environment aims to facilitate, among other goals: the integration of the human right to a healthy environment in the work of UN country teams, human rights treaty-bodies and MEAs; improve protection for environmental human rights defenders; and further a better understanding of the interdependence of human rights, especially linkages between the right to a healthy environment and other human rights.

The newly established **EU-LAC Women's International Network** includes institutions from academia, civil society, the political, journalistic and economic spheres and supports the commitment of countries of Latin America and the Caribbean (LAC) and the European Union (EU) to promote the incorporation of women on decision-making and as protagonists of policies for economic recovery and economic and social protection, with UNDP support.

UNDP also has a wide network of Country Offices and Regional Hubs, as well as subject matter experts that cover all the above-mentioned areas.



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