



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### **General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development\***

#### **I. Introduction**

1. A clean, healthy and sustainable environment is an essential precondition for the enjoyment of economic, social and cultural rights. Nature is indispensable to human existence and well-being, as it not only supports life but also underpins ecological processes, including air and water quality, soil fertility, climate stability, pollination, and the mitigation of natural hazards. However, the accelerating and interconnected environmental challenges of our time, such as climate change, biodiversity loss and pollution, pose a serious threat to the ability of present and future generations to enjoy economic, social and cultural rights, and are already contributing to violations of these rights. Climate change, driven by human activities, is increasing the frequency and intensity of extreme weather events globally, such as heatwaves, heavy precipitation and floods, droughts, and tropical cyclones, and is causing slow-onset changes, including rising sea levels.<sup>1</sup> Key ecological processes are becoming increasingly disrupted or weakened, and biodiversity is rapidly declining at both the species and the ecosystem levels due to the compounding effects of climate change, land and sea use changes, overexploitation of resources, pollution, and unsound management of chemicals and waste.<sup>2</sup>

2. The situation is increasingly alarming, as these interlinked environmental crises “increase the risk of reaching irreversible biophysical tipping points that threaten fundamental ecological systems and processes that sustain life”.<sup>3</sup> These planetary environmental threats are driven by unsustainable levels of production and consumption, particularly by developed States which have historically contributed most to environmental degradation and climate change, and are shaped by enduring relations of domination over both nature and people, deeply rooted in colonial-era resource extraction.<sup>4</sup> At the current rate of resource exploitation, pollution and environmental destruction, without regard for the Earth’s environmental limits, it is impossible to achieve the equal realization of Covenant rights for all. Unsustainable use of natural resources and the resulting environmental

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\* Adopted by the Committee at its seventy-eighth session (8–26 September 2025).

<sup>1</sup> Intergovernmental Panel on Climate Change, *Climate Change 2023: Synthesis Report, Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, pp. 5–7.

<sup>2</sup> Summary for policymakers of the global assessment report on biodiversity and ecosystem services, IPBES/7/10/Add.1, pp. 5 and 6.

<sup>3</sup> Summary for policymakers of the thematic assessment of the underlying causes of biodiversity loss and the determinants of transformative change and options for achieving the 2050 Vision for Biodiversity, IPBES/11/12/Add.2, p. 5.

<sup>4</sup> Ibid., pp. 6 and 14.



degradation often drive armed conflict and instability, which are in turn exacerbated by them.<sup>5</sup>

3. Individuals, groups and countries, including victims of colonialism, the slave trade and apartheid, that have historically contributed the least to the environmental crisis are often the most affected by it, and the least able to cope with its adverse impacts. Indigenous Peoples, peasants and other communities with deep connections to nature are among the first to experience its devastating consequences. Moreover, environmental degradation exacerbates one of the greatest global challenges – to eradicate poverty and end hunger and malnutrition – and fuels migration and refugee crises. This underscores the interlinkages between the economic, social and environmental dimensions of sustainable development. These interconnected challenges call for enhanced guidance on implementing economic, social and cultural rights, placing the human dignity of present and future generations, along with environmental justice, at the centre.

4. The present general comment highlights the adverse impacts of environmental degradation on economic, social and cultural rights, and clarifies the obligations of States Parties to the International Covenant on Economic, Social and Cultural Rights with regard to the environmental dimension of sustainable development. In it, the Committee seeks to provide guidance on implementing these rights in a manner that respects ecological limits and the finite nature of natural resources.

## **II. Scope and method of interpretation**

5. Sustainable development seeks to realize the rights of all human beings to an adequate standard of living on the basis of their active, free and meaningful participation in development and the fair distribution of the benefits resulting therefrom, without compromising the ability of future generations to meet their own needs.<sup>6</sup> It requires a balanced and integrated approach across its economic, social and environmental dimensions. In its practice, the Committee has underscored the close linkages between the Covenant and sustainable development.<sup>7</sup> It has emphasized that the full realization of economic, social and cultural rights for all, especially for those in disadvantaged and marginalized situations, is critical to achieving sustainable development.<sup>8</sup> At the same time, it has recognized that protecting the environment is indispensable for realizing these rights.

6. The Committee recognizes that the right to a clean, healthy and sustainable environment is an autonomous human right, indispensable for the effective enjoyment of all rights enshrined in the Covenant. This right is both inherent in the Covenant as a whole and derived from specific Covenant rights, including the rights to health,<sup>9</sup> to an adequate standard of living and to participation in cultural life.<sup>10</sup> The right to a healthy environment was also explicitly recognized by the General Assembly in 2022,<sup>11</sup> and has since been acknowledged by the Conferences of the Parties to both the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity.<sup>12</sup>

7. While many individuals and groups, particularly those in vulnerable and marginalized situations, are already experiencing serious impacts on their Covenant rights owing to environmental degradation, these impacts will likely intensify over time. In the absence of urgent and sustained action, future generations will bear an even greater burden, with

<sup>5</sup> [A/79/270](#), paras. 84 and 85.

<sup>6</sup> [A/42/427](#), p. 24.

<sup>7</sup> [E/2003/22-E/C.12/2002/13](#), annex VI, paras. 2 and 4; and [E/C.12/2012/1](#), para. 5.

<sup>8</sup> [E/C.12/2019/1](#), paras. 4 and 5.

<sup>9</sup> General comment No. 14 (2000), paras. 11, 15 and 36.

<sup>10</sup> General comment No. 21 (2009), para. 16.

<sup>11</sup> General Assembly resolution 76/300.

<sup>12</sup> Sharm el-Sheikh Implementation Plan, decision 1/CMA.4 (2022), preamble; outcome of the first global stocktake, decision 1/CMA.5 (2023), preamble; Kunming-Montreal Global Biodiversity Framework, decision 15/4 (2022), annex, para. 7 (g); Committee on the Rights of the Child, general comment No. 26 (2023), para. 8; and International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, 23 July 2025, para. 393.

diminished opportunities to realize their rights under the Covenant. Ensuring the progressive realization of Covenant rights therefore requires an intergenerational perspective, grounded in the equitable sharing of rights and responsibilities, and of resources across generations.

8. Structural inequalities persist at both the national and the international levels. Unequal access to natural resources, land, and public goods and services, as well as State policy and decision-making processes, remain barriers to sustainable development. To ensure the realization of Covenant rights for all, these inequalities must be overcome in a manner that fully respects the principles of non-discrimination and substantive equality. Current global economic structures remain shaped by past and present imbalances in production and consumption patterns, whereby developing countries continue to bear the environmental burdens of extraction and production, while developed countries disproportionately benefit economically.<sup>13</sup> These structural asymmetries may undermine the ability of many poorer countries to transition away from fossil fuel-dependent economies while ensuring the enjoyment of Covenant rights.<sup>14</sup> Fulfilling the obligation of international assistance and cooperation under the Covenant, together with the principle of common but differentiated responsibilities and respective capabilities under relevant treaties and general international law, is essential to addressing these inequities and achieving sustainable development.

9. When clarifying the obligations of States Parties to realize Covenant rights in relation to the environmental dimension of sustainable development, international environmental law must be taken into account, in accordance with article 31 (3) (c) of the Vienna Convention on the Law of Treaties.<sup>15</sup> In turn, States Parties must fulfil their obligations under international human rights law, including the Covenant, when implementing their obligations under international environmental law.

10. The interpretation and implementation of the Covenant in the context of environmental degradation should be guided by the general obligations and foundational principles therein, which include the progressive realization of rights and the use of the maximum available resources, and the principles of equality and non-discrimination, meaningful participation, access to information, access to justice, and international assistance and cooperation. This framework should be further informed by both the right to a clean, healthy and sustainable environment, and the right to development, which entails meeting developmental and environmental needs equitably across generations.<sup>16</sup> Relevant rules of international environmental law, including the principles of intergenerational equity,<sup>17</sup> common but differentiated responsibilities and respective capabilities,<sup>18</sup> and precaution<sup>19</sup> should also guide interpretation. The full realization of Covenant rights demands a just transition towards a sustainable economy that puts human rights and the well-being of the planet at its centre.

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<sup>13</sup> A/HRC/57/30, para. 6.

<sup>14</sup> A/HRC/54/27, paras. 50–52; and A/HRC/44/44, paras. 29–32.

<sup>15</sup> Human Rights Committee, general comment No. 36 (2018), para. 62; Inter-American Court of Human Rights, advisory opinion OC-23/17 of 15 November 2017 on the environment and human rights, para. 44; and European Court of Human Rights, *Verein Klimaseniorinnen Schweiz et al. v. Switzerland* (application No. 53600/20), judgment of 9 April 2024, para. 434.

<sup>16</sup> Declaration on Future Generations; Vienna Declaration and Programme of Action, para. 11; and Declaration on the Right to Development.

<sup>17</sup> Rio Declaration, principle 3; Paris Agreement, preamble; and Convention on Biological Diversity, preamble and art. 2.

<sup>18</sup> Rio Declaration, principle 7; United Nations Framework Convention on Climate Change, art. 3 (1); and Paris Agreement, art. 2 (2).

<sup>19</sup> Rio Declaration, principle 15; United Nations Framework Convention on Climate Change, art. 3 (3); and Convention on Biological Diversity, preamble.

### **III. Obligations of States Parties under the Covenant in the context of environmental degradation**

#### **A. General obligations**

##### **Obligations to respect, protect and fulfil**

11. States Parties have obligations to respect, protect and fulfil Covenant rights. In the context of environmental degradation, the obligation to respect requires States Parties to refrain from acts that foreseeably contribute to or cause significant harms to the air, land, water, the oceans, climate stability, biodiversity and ecosystems. The obligation to protect requires States Parties to prevent environmental harms that could result in violations of Covenant rights, including by regulating the activities of other actors, such as business entities, under their jurisdiction or control. This also requires States Parties to exercise due diligence in protecting Covenant rights from environmental harm, applying a standard of diligence proportionate to the degree of the risk,<sup>20</sup> and entails adopting all appropriate and necessary measures to safeguard the enjoyment of these rights from environmental threats caused or exacerbated by human activities, such as sea-level rise, water scarcity, floods, droughts, desertification, land degradation, deforestation, pollution of air, water and soil, and storms. Where there is a risk of serious and irreversible environmental harm affecting Covenant rights, States Parties should apply the precautionary principle and take all measures necessary to prevent such harm even in the absence of scientific certainty.<sup>21</sup> The obligation to fulfil requires States Parties to take appropriate legislative, administrative, financial, judicial and other measures to ensure the enjoyment of Covenant rights, including through the preservation, protection and restoration of ecosystems essential to those rights. This includes securing clean air, a safe climate, fertile land, and healthy ecosystems, including forests and wetlands, and the integrity of rivers and oceans.<sup>22</sup>

12. While businesses can contribute to human rights and sustainable development, certain activities – such as fossil fuel extraction and use, large-scale mining, deforestation, and other practices leading to resource depletion and pollution – can significantly undermine the enjoyment of Covenant rights. States Parties must adopt legislative, administrative, educational and other appropriate measures to ensure effective protection against business-related violations of Covenant rights, including by establishing regulatory frameworks to oversee and monitor business activities. Effective mechanisms must also be in place to ensure accountability and provide redress to victims of business-related human rights abuses.<sup>23</sup> In addition, States Parties should have a legal framework that requires business entities to exercise human rights and environmental due diligence to identify, monitor, prevent, mitigate and remedy adverse environmental impacts on Covenant rights arising from their decisions, operations and value chains.<sup>24</sup>

13. Given the interdependent and indivisible nature of all human rights, States Parties must ensure the full enjoyment of procedural guarantees in environmental matters, including those concerning climate change mitigation, adaptation and reparation, access to information, inclusive and meaningful public participation in all relevant planning and decision-making processes, and access to justice and effective remedies.<sup>25</sup> When Indigenous Peoples are

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<sup>20</sup> Inter-American Court of Human Rights, *Inhabitants of La Oroya v. Peru*, judgment of 27 November 2023, para. 126; International Tribunal for the Law of the Sea, advisory opinion of 21 May 2024 on climate change and international law, para. 239; Inter-American Court of Human Rights, advisory opinion OC-32/25 of 29 May 2025 on the climate emergency and human rights, paras. 232–235; and International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, paras. 280–300.

<sup>21</sup> General comment No. 25 (2020), para. 56; and Inter-American Court of Human Rights, advisory opinion OC-23/17, para. 242.

<sup>22</sup> General comments No. 26 (2022), para. 38; and No. 15 (2002), para. 28.

<sup>23</sup> A/HRC/17/31, annex, para. 25.

<sup>24</sup> General comments No. 24 (2017), para. 16; and No. 26 (2022), para. 30.

<sup>25</sup> General comment No. 25 (2020), paras. 53–56; Rio Declaration, principle 10; Aarhus Convention; and Escazú Agreement.

affected, their rights to free, prior and informed consent must be respected and protected.<sup>26</sup> States Parties should respect, protect and promote the work of environmental and Indigenous human rights defenders, as well as other civil society actors who support people in marginalized and disadvantaged situations, in realizing their Covenant rights.<sup>27</sup> States Parties should take all measures necessary to ensure that environmental human rights defenders and journalists can carry out their work, without fear of harassment, intimidation or violence, including by protecting them from harm by third parties.<sup>28</sup> International and domestic decision-making must also be governed by integrity safeguards, such as transparency, conflict-of-interest controls and anti-capture measures, so that outcomes are free from undue influence that may impair the right to a clean, healthy and sustainable environment.

14. Where an activity is determined to pose a significant risk to the environment and thereby affect the enjoyment of Covenant rights, States Parties must conduct environmental and human rights impact assessments, as they form core components of procedural obligations.<sup>29</sup> The assessments should be conducted prior to the activity, be independent, consider cumulative impacts, and, in cases involving activities that may affect Indigenous Peoples' territories, be carried out in a manner that respects their culture.<sup>30</sup> Such assessments should be conducted with meaningful public participation, and the results should be made public and used to inform measures to prevent, cease and remedy any human rights violations or abuses.

15. Respecting, protecting and fulfilling Covenant rights requires addressing the root causes of the interconnected crises of climate change, biodiversity loss and pollution. These are driven by unsustainable patterns of production and consumption, and an economic model based on unlimited growth. A transition to an economy that is centred on human rights and the well-being of the planet is imperative to ensure equal enjoyment of human rights within the Earth's ecological limits.

16. In particular, climate change is already having a severe impact on the enjoyment of Covenant rights, and is exacerbating other environmental challenges, requiring both systemic transformation and concrete policy measures. Under the Covenant, States Parties are obliged to adopt and implement both mitigation and adaptation measures to protect Covenant rights from the effects of climate change, and to provide reparation for the adverse impacts of climate change. These measures must reflect the highest possible ambition to meet the global temperature goal, aiming to avoid the worst climate-related harms and uphold human rights and sustainable development. In designing and implementing mitigation and adaptation measures, States Parties must ensure that these are disability-inclusive<sup>31</sup> and address structural discrimination or inequality, paying particular attention to the rights of individuals and groups in vulnerable situations.<sup>32</sup>

17. To mitigate climate change, States Parties must take all available measures, based on the best available scientific evidence, to reduce greenhouse gas emissions in line with the temperature goal set out in the Paris Agreement.<sup>33</sup> If the current pace of fossil fuel production continues, global greenhouse gas emissions are likely to exceed the level compatible with the Paris Agreement temperature goal, with far-reaching implications for the realization of Covenant rights. Furthermore, States Parties should phase down the expansion of fossil fuel infrastructure, whether by public authorities or private actors, and phase out inefficient fossil

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<sup>26</sup> *J.T. et al. v. Finland* ([E/C.12/76/D/251/2022-E/C.12/76/D/289/2022](#)) para. 14.6; and general comment No. 24 (2017), paras. 12 and 17.

<sup>27</sup> General comments No. 15 (2002), para. 59; and No. 18 (2005), para. 51.

<sup>28</sup> General Assembly resolution 78/216, paras. 18, 21 and 27.

<sup>29</sup> *Pulp Mills on the River Uruguay (Argentina v. Uruguay), Judgment, I.C.J. Reports 2010*, para. 204; and Inter-American Court of Human Rights, advisory opinion OC-23/17, para. 160.

<sup>30</sup> *J.T. et al. v. Finland*, para. 14.6.

<sup>31</sup> See <https://www.ohchr.org/sites/default/files/documents/hrbodies/crpd/statements/2024-11-19-stm-disability-Inclusion-Climate-Action.docx>.

<sup>32</sup> [HRI/2019/1](#), para. 13.

<sup>33</sup> Paris Agreement, art. 2; Glasgow Climate Pact, decision 1/CMA/3, para. 21; outcome of the first global stocktake, decision 1/CMA.5 (2023), para. 38; and International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, para. 224.

fuel subsidies that do not address energy poverty or just transitions.<sup>34</sup> States Parties should make all efforts to promote renewable energy, phase down unabated coal power, and transition away from fossil fuels in energy systems, in a just, orderly and equitable manner.<sup>35</sup> Developed States, in line with the principle of common but differentiated responsibilities and respective capabilities, should lead mitigation efforts and provide financial and technological assistance to developing States to enable their effective climate action.<sup>36</sup> Mitigation measures also include enhancing energy efficiency; reducing waste generation through prevention, recycling and reuse; minimizing food waste; transitioning towards sustainable food systems consistent with human rights; and promoting the construction of carbon-neutral housing.<sup>37</sup>

18. Forests, land, wetlands and marine ecosystems play a critical role in climate change mitigation and adaptation, serving as natural sinks and reservoirs for greenhouse gases. States Parties must take all measures necessary to conserve, protect and restore these ecosystems, including by halting and reversing deforestation, land and forest degradation and marine pollution.<sup>38</sup> In accordance with the precautionary principle, unproven climate-related technologies should not be used until their environmental risks and potential impacts on Covenant rights are fully understood and assessed.<sup>39</sup>

#### **Progressive realization (art. 2 (1))**

19. Progressive realization requires States Parties to take deliberate, concrete and targeted steps towards the full realization of Covenant rights, moving as expeditiously and effectively as possible.<sup>40</sup> To monitor and evaluate this progress, it is essential to incorporate appropriate indicators and time-bound targets. States Parties must fully integrate sustainability when designing laws, policies and programmes to ensure the realization of these rights for present and future generations.

20. Progress in realizing Covenant rights cannot be considered adequate if it fails to address existing inequalities or exacerbates disparities in their enjoyment. Progressive realization must be guided by the principle of non-discrimination and equality, beginning with satisfaction of the minimum essential levels of each right. States Parties must improve the fulfilment of these rights for all, while prioritizing individuals and groups in marginalized or disadvantaged situations, who are often most affected by environmental degradation and possess fewer resources to respond.

21. The principle of progressive realization entails the prohibition of retrogression.<sup>41</sup> It means that States Parties must refrain from adopting any measures that would diminish the level of realization of Covenant rights. If a measure of retrogressive nature is proposed, it must be fully justified in the light of the totality of the Covenant rights and full use of the maximum available resources. Such measures require the most careful consideration of whether they are temporary, necessary, proportionate and non-discriminatory, and of the extent to which they affect the minimum core content of the rights concerned.<sup>42</sup>

22. Examples of retrogression may include a weakening of environmental regulations that increases health risks, or reducing access to clean water and sanitation.<sup>43</sup> Failure to consider

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<sup>34</sup> E/C.12/NOR/CO/6, para. 11; HRI/2019/1, para. 12; and United Nations Framework Convention on Climate Change decision 1/CMA.5, para. 28.

<sup>35</sup> Pact for the Future, General Assembly resolution 79/1, para. 28 (c).

<sup>36</sup> Paris Agreement, art. 4 (4); International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, paras. 247 and 248; and Inter-American Court of Human Rights, advisory opinion OC-32/25, paras. 328–330.

<sup>37</sup> A/HRC/56/46, paras. 7–14.

<sup>38</sup> General Assembly resolution 79/1, para. 28 (e); and International Tribunal for the Law of the Sea, advisory opinion on climate change and international law, pp. 151 and 152.

<sup>39</sup> A/74/161, para. 83; and Conference of the Parties to the Convention on Biological Diversity, decision X/33 (2010), para. 8 (w), and decision XIII/14 (2016), para. 6.

<sup>40</sup> General comment No. 3 (1990), para. 9.

<sup>41</sup> General comment No. 3 (1990), para. 9.

<sup>42</sup> E/C.12/2016/1, para. 4; E/C.12/2007/1, para. 10; and *Ben Djazia and Bellili v. Spain* (E/C.12/61/D/5/2015), para. 17.6.

<sup>43</sup> Inter-American Court of Human Rights, *Inhabitants of La Oroya v. Peru*, judgment of 27 November 2023, paras. 186 and 187.

the long-term impacts of environmental degradation – such as climate change, biodiversity loss and pollution – on future generations may also amount to impermissible retrogression.

23. The full realization of Covenant rights must occur within the planet’s ecological limits. Measures addressing excessive levels of production and consumption – particularly where such patterns threaten the long-term realization of rights – should not be considered retrogressive. Conversely, measures whereby a State sustains or promotes consumption patterns that cause significant environmental harm, thereby undermining the equitable realization of rights over time, may constitute retrogression.

#### **Maximum available resources (art. 2 (1))**

24. The term “resources” in article 2 (1) of the Covenant includes human, financial, technical, natural, cultural and scientific resources, whether from public, private, domestic or international sources.<sup>44</sup> States Parties must mobilize and allocate the maximum available resources for the progressive realization of Covenant rights, in a manner compatible with ecological limits and the objectives of sustainable development. This includes preventing harm from environmental degradation, such as climate change, pollution and biodiversity loss, and ensuring that these rights are fully respected, protected and fulfilled throughout the transition to a sustainable economy.

25. States Parties should enhance resource availability by taking measures such as combating tax evasion, tax avoidance and corruption, and by strengthening progressive tax systems, while avoiding undue burdens on disadvantaged individuals and groups.<sup>45</sup> Fiscal policies should be sustainable, support a just transition to low-carbon economies, and protect low-income households from increased costs during this transition. Broadly, fiscal policies should incentivize sustainable development models and should be shaped through transparent and participatory processes. Addressing economic and structural inequalities is essential for the full realization of Covenant rights and for advancing sustainable development. Equitable access to land, natural resources and scientific research must also be guaranteed.

26. Natural resources are integral to human well-being, and their sustainable use contributes to the realization of Covenant rights, through clean water, sanitation, air, food, and healthy ecosystems.<sup>46</sup> States Parties must incorporate an ecosystem approach that promotes the conservation, sustainable use and equitable sharing of natural resources, including access to land and water.<sup>47</sup> These resources must be managed sustainably for present and future generations, including through incentives for sustainable practices and through investment in climate adaptation. The vital role of Indigenous Peoples and traditional communities in maintaining biodiversity and ecosystems must be also recognized, and their traditional livelihoods, cultural practices and world views should be respected and, where compatible with human rights and sustainability, supported.<sup>48</sup>

## **B. Core obligations**

27. In its general comment No. 3 (1990), the Committee affirms that States Parties have a core obligation to ensure, at a minimum, essential levels of each right recognized in the Covenant. This remains applicable in situations of conflict, emergency or natural disaster.<sup>49</sup> In the context of environmental degradation and the transition to sustainable economies, this includes access to essential healthcare, basic shelter and housing, safe and sufficient water and sanitation, adequate and safe food, and education that meets minimum standards. This

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<sup>44</sup> General comments No. 3 (1990), para. 13; and No. 24 (2017), para. 23.

<sup>45</sup> See E/C.12/2025/1.

<sup>46</sup> Millennium Ecosystem Assessment, *Ecosystems and Human Well-being: Synthesis* (Washington, D.C., Island Press, 2005).

<sup>47</sup> General comment No. 26 (2022), para. 38; General Assembly resolution 73/284, para. 3; Convention on Biological Diversity, art. 2; and Conference of the Parties to the Convention on Biological Diversity, decision V/6 (2000).

<sup>48</sup> Conference of the Parties to the Convention on Biological Diversity, decision X/33 (2010), para. 8 (i) and (v).

<sup>49</sup> E/C.12/2001/10, para. 17.

obligation also includes guaranteeing access to essential public services and basic income security, including through social protection systems,<sup>50</sup> and to just and favourable conditions of work, including occupational safety and minimum wages that ensure a decent living.<sup>51</sup> Cultural participation and access to the benefits of scientific progress and its applications essential for the enjoyment of human rights must also be ensured.<sup>52</sup>

28. Furthermore, States Parties have a core obligation to safeguard the environmental conditions necessary for realizing essential levels of Covenant rights in the short, medium and long term, including protecting sources of water for domestic use, reducing pollutants and preserving critical ecosystems such as forests and wetlands. As a matter of priority, States Parties must make every effort, using all available resources, to prevent – and where prevention is not possible, to mitigate – environmental harm that threatens the realization of essential levels of Covenant rights. Where harm occurs, States Parties must ensure access to effective remedies and reparations. Policies and measures to safeguard these fundamental environmental conditions must be designed in full respect of Covenant rights, ensuring that they do not undermine the essential levels of their enjoyment.

29. The Committee recalls that a failure to meet minimum core obligations can only be justified by a demonstrated effort to use all available resources to satisfy, as a matter of priority, those minimum obligations.<sup>53</sup> States Parties should further ask the international community for assistance in implementing its core obligations. In particular, it is incumbent upon States Parties and other actors in a position to provide international assistance and cooperation to enable countries with fewer resources to fulfil their core obligations,<sup>54</sup> which is especially urgent in disaster and emergency situations.

## C. International obligations

### Extraterritorial obligations

30. The Committee has previously affirmed the obligation of States Parties to respect and protect the enjoyment of Covenant rights beyond their borders,<sup>55</sup> consistently addressing these obligations during the examination of States Parties' periodic reports, particularly in relation to business activities. In the context of environmental degradation, it is incumbent upon States Parties to prevent foreseeable harm to the enjoyment of Covenant rights in other countries resulting from climate change, pollution or unsustainable development. This includes regulating activities under their effective control that contribute to such harm. These obligations are reinforced by a systematic interpretation of the Covenant, consistent with international environmental law.<sup>56</sup> The obligation to prevent significant environmental harm to other States is a firmly established customary rule.<sup>57</sup> It requires States to use all the means at their disposal “to avoid activities which take place in its territory, or in any area under its jurisdiction, causing significant damage to the environment of another State”.<sup>58</sup> Where transboundary environmental harm occurs, States Parties must mitigate and remedy the impacts on Covenant rights.

31. States Parties also have an extraterritorial obligation to prevent the activities of business enterprises under their jurisdiction from causing environmental harm that affects the enjoyment of Covenant rights in other countries.<sup>59</sup> To this end, States Parties are expected to adopt appropriate regulatory and policy measures to ensure that business entities domiciled

<sup>50</sup> E/C.12/2015/1, para. 8.

<sup>51</sup> General comment No. 23 (2016), para. 65.

<sup>52</sup> General comments No. 21 (2009), para. 55; and No. 25 (2020), para. 52.

<sup>53</sup> General comment No. 3 (1990), para. 10.

<sup>54</sup> General comment No. 14 (2000), para. 45.

<sup>55</sup> General comments No. 15 (2002), para. 31; No. 24 (2017), paras. 26–37; and No. 26 (2022), paras. 40–47.

<sup>56</sup> *Sacchi et al. v. Argentina* (CRC/C/88/D/104/2019), para. 10.5.

<sup>57</sup> International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, para. 272.

<sup>58</sup> *Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, Judgment, I.C.J. Reports 2010, para. 101.

<sup>59</sup> Inter-American Court of Human Rights, advisory opinion OC-32/25, paras. 345–350.

in their territory or under their jurisdiction respect human rights, including by conducting human rights and environmental due diligence throughout their operations and value chains. States Parties are also expected to establish accessible judicial and non-judicial mechanisms to ensure accountability and provide remedies for human rights abuses by business enterprises operating transnationally, particularly where effective remedies are unavailable or ineffective in the State where the harm occurs.

32. Where States Parties support or engage in investments abroad, particularly in large-scale projects, they should ensure – including, where appropriate, by requiring – that such investments are subject to effective human rights due diligence, and do not impair the ability of the receiving States to fulfil their obligations under the Covenant,<sup>60</sup> including preventing and mitigating environmental degradation. States Parties should take measures, including through appropriate regulatory and treaty frameworks, to reduce the risk of business enterprises under their jurisdiction misusing investment treaties or investor-State dispute settlement mechanisms in ways that undermine environmental regulations or Covenant rights in other States.<sup>61</sup> States Parties should also maintain adequate domestic policy space, including environmental regulations, for realizing the Covenant rights when pursuing business-related policy objectives with other States or business enterprises, for instance through investment treaties or contracts.

### **International assistance and cooperation (art. 2 (1))**

33. Responding to transboundary environmental challenges, such as climate change, pollution and biodiversity loss, which threaten the enjoyment of Covenant rights, requires an effective global response. States Parties must take steps, individually and through international assistance and cooperation, to mitigate and adapt to climate change, and to address biodiversity loss and environmental degradation, in line with the objectives of sustainable development.

34. In implementing their obligation of assistance and cooperation, States Parties should consider historical contributions to environmental degradation, different capabilities, and the specific needs of developing countries. The principle of common but differentiated responsibilities and respective capabilities is essential for a just and equitable transition from a fossil fuel-based economy.<sup>62</sup> Priority areas of cooperation include climate finance, technology transfer, capacity-building, information-sharing, addressing loss and damage, and securing fair and durable solutions for climate-induced displacement and migration. Combating illicit financial flows, including tax evasion and avoidance, is critical to enhancing States' capacities for environmental and climate action.

35. Developed States should support developing States that have more limited capacities in achieving a just and equitable transition. This includes providing climate finance and transferring environmentally sound technologies to support mitigation, adaptation and reparations, particularly for countries least responsible but most affected.<sup>63</sup> In line with the principle of equity, assistance to low-income countries with high debt burdens should be provided as grants rather than loans to avoid exacerbating debt distress.<sup>64</sup> Where necessary to restore sustainability and protect Covenant rights, debt restructuring, relief or cancellation should be considered. A just transition must reduce, not reinforce, inequalities both within and between countries.<sup>65</sup>

36. Given the central role of science and technology in advancing sustainable development and responding to environmental crises, States Parties must facilitate the transfer of, and access to, relevant technology and scientific research necessary to realize

<sup>60</sup> General comment No. 26 (2022), para. 44; and Inter-American Court of Human Rights, advisory opinion OC-32/25, para. 351.

<sup>61</sup> See [A/78/168](#).

<sup>62</sup> United Nations Framework Convention on Climate Change, preamble and art. 3 (1); and Paris Agreement, art. 2 (2).

<sup>63</sup> General comment No. 26 (2022), para. 58; and Committee on the Rights of the Child, general comment No. 26 (2023), paras. 111–115.

<sup>64</sup> General Assembly resolution 79/1, para. 28; and [A/HRC/55/54](#), para. 53.

<sup>65</sup> Sustainable Development Goal 10.

Covenant rights. Intellectual property regimes must not hinder access to such technology.<sup>66</sup> States Parties should recognize and support diverse knowledge systems, including the traditional knowledge, innovations and practices of Indigenous Peoples, peasants and other rural communities, which are essential to biodiversity conservation and climate change mitigation and adaptation.<sup>67</sup>

37. International assistance and cooperation should be grounded in equity, mutual respect and accountability, and structured to avoid undermining the sustainable development of recipient countries.<sup>68</sup> Financing for environmental and climate action should expand fiscal space to support mitigation, adaptation and reparations, while reinforcing social protection systems that are vital to ensuring the minimum essential levels of enjoyment of Covenant rights. States Parties receiving assistance are obliged to use it effectively for the realization of Covenant rights, especially minimum core obligations, giving priority to people in vulnerable situations.<sup>69</sup> States Parties and providers of international assistance must ensure that environmental measures supported through international cooperation are implemented with the meaningful participation of affected individuals and communities, and with the free, prior and informed consent of Indigenous Peoples.

38. States Parties should create an international environment conducive to the full realization of Covenant rights, including in areas such as trade, investment, taxation, finance, environmental protection, climate policy and development cooperation.<sup>70</sup> States Parties should exercise their roles and responsibilities within the international financial architecture, including in international forums such as the International Monetary Fund and the World Bank, and in the negotiation and implementation of trade and investment treaties, to ensure that decisions in these spaces advance the realization of Covenant rights.<sup>71</sup>

## **D. Obligation of equality and non-discrimination (arts. 2 (2) and 3)**

### **Equality and non-discrimination (art. 2 (2))**

39. While environmental degradation, including climate change, affects everyone, systemic inequalities, discrimination and historical exclusion from decision-making processes have led to disproportionately severe impacts on certain individuals and groups, often exacerbating existing inequalities, based on factors such as socioeconomic status, race, colour, gender, disability, age, migratory status, sexual orientation and gender identity. Individuals and groups in vulnerable situations, particularly those who experience intersecting forms of disadvantage, face disproportionate harm and possess fewer resources to respond.<sup>72</sup> States Parties must identify and prioritize the needs of individuals and groups in vulnerable or marginalized situations, taking into account intersectionality. They must address structural and systemic discrimination and inequality, and safeguard such individuals and communities from human rights risks arising both from environmental harm and from measures taken in response.<sup>73</sup> In doing so, States Parties must also take into account the rights of future generations to equal enjoyment of all human rights, and refrain from acts or omissions likely to result in or perpetuate discrimination against them.<sup>74</sup>

40. Heavily polluting and hazardous facilities – including open-pit mines, smelters, petroleum refineries, chemical plants, coal-fired power stations, oil and gas fields, steel plants, waste dumps and hazardous waste incinerators – are often located in or near disadvantaged

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<sup>66</sup> E/C.12/2018/1, para. 7; and general comment No. 25 (2020), paras. 62, 79 and 80.

<sup>67</sup> Convention on Biological Diversity, art. 8 (j).

<sup>68</sup> Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights, principle 32.

<sup>69</sup> Ibid., principle 34.

<sup>70</sup> Ibid., principle 29.

<sup>71</sup> E/C.12/2016/1, paras. 7–9.

<sup>72</sup> Intergovernmental Panel on Climate Change, Summary for policymakers, in *Climate Change 2023: Synthesis Report, Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*; and A/79/270, para. 88.

<sup>73</sup> E/C.12/2019/1, paras. 6–10.

<sup>74</sup> Maastricht Principles on the Human Rights of Future Generations, principle 6.

and marginalized communities.<sup>75</sup> The principle of non-discrimination and equality requires States Parties to address systemic patterns of marginalization and environmental injustices, particularly those linked to intersecting forms of discrimination, including racism and colonial legacies.<sup>76</sup> This includes prioritizing mitigation, adaptation, remediation, reparation and environmental restoration measures for communities that bear a disproportionate burden of exposure to pollution and toxic contamination.<sup>77</sup>

41. States Parties must ensure equal access to natural resources for Indigenous Peoples, peasants and people in rural communities who depend on nature for subsistence and their cultural identity. States Parties must also prevent and address harmful practices by private actors, such as pollution-intensive operations or carbon-offset projects, that disproportionately affect individuals and groups in marginalized situations.

### **Equal rights of men and women (art. 3)**

42. Achieving equality between men and women in the enjoyment of Covenant rights in all policy areas is a precondition for sustainable development. Women and girls often face legal, social and economic disadvantages rooted in unequal power relations and patriarchal structures. The environmental crises exacerbate existing gender inequalities, particularly in access to land, natural resources, and essential services, including healthcare, food, water, sanitation and waste treatment.<sup>78</sup>

43. Women and girls are disproportionately exposed to harmful effects from toxic substances, waste and pollution, with serious implications for their health and well-being.<sup>79</sup> For women in rural areas, secure access to land is a critical resource for subsistence, access to essential goods and services, and protection from violence.<sup>80</sup> In addressing environmental crises and fulfilling their obligation to ensure substantive equality, States Parties must guarantee women's access to, control over and secure tenure of land and other means necessary for food security and livelihoods.<sup>81</sup>

44. Gender inequality is compounded by the unequal burden of unpaid care and domestic work on women, and is intensified by climate change – for example, the increased time and effort required to secure water, or altering work patterns due to rising temperatures.<sup>82</sup> States Parties should recognize, reduce and redistribute unpaid care and support work, by ensuring accessible, rights-based care and support systems, and by promoting an equitable sharing of responsibilities between men and women, and among the State, families, communities and the private sector.<sup>83</sup>

45. States Parties should integrate a gender-responsive and whole-of-government approach into all sustainable development policies, especially relating to disaster risk reduction, climate change, pollution, biodiversity protection and natural resource management.<sup>84</sup> This includes gender-responsive financing and budgeting strategies. In the context of natural disasters and climate-related emergencies, States Parties must ensure that women have equal access to resources and means of protection, including timely warnings and other relevant information. States Parties also have a duty to ensure that women have access to accurate, affordable and culturally appropriate environmental information and education.<sup>85</sup> These efforts should be informed by impact assessments that examine the differentiated effects of climate change and environmental degradation on women and girls.

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<sup>75</sup> [A/HRC/49/53](#), para. 28.

<sup>76</sup> [A/77/549](#), para. 77.

<sup>77</sup> [A/HRC/49/53](#), para. 57.

<sup>78</sup> [E/2022/27](#), chap. I, sect. A, para. 46.

<sup>79</sup> [A/HRC/52/33](#), paras. 15, 18, 29 and 33.

<sup>80</sup> General comment No. 26 (2022), para. 14.

<sup>81</sup> General comment No. 16 (2005), para. 28.

<sup>82</sup> [E/2022/27](#), chap. I, sect. A, paras. 23, 38, 47 and 62 (jj); and [A/HRC/41/26](#), para. 8.

<sup>83</sup> [A/HRC/58/43](#), para. 72 (a).

<sup>84</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018), para. 26; and [A/HRC/41/26](#).

<sup>85</sup> [A/HRC/52/33](#), para. 66.

## IV. Obligations of States Parties in relation to specific rights

### Right to self-determination (art. 1) and right to freely utilize natural resources (art. 25)

46. Articles 1 (2) and 25 of the Covenant affirm the right of peoples to freely pursue their economic, social and cultural development and dispose of their natural wealth and resources, as an essential aspect of their self-determination. This right entails that peoples are the primary beneficiaries of exploitation of their natural resources. Each State Party must ensure that such exploitation, whether by national or foreign entities, is adequately regulated, so that the benefits are fairly and equitably shared in ways that advance Covenant rights.<sup>86</sup> In pursuing equitable and sustainable development, each State Party retains policy space best suited to its particular context, to determine the most appropriate mix of economic and social measures, provided that these are consistent with its obligations under the Covenant. Taxation, subsidies and licensing regimes related to resource extraction should be designed to mobilize resources effectively for the realization of Covenant rights, while minimizing environmental harm.<sup>87</sup> Contracts with business entities for the extraction of natural resources should avoid the privatization of natural wealth and ensure the fair and equitable sharing of benefits, in accordance with article 1 of the Covenant.

47. States Parties must uphold procedural safeguards in all decision-making related to the exploitation of natural resources, including ensuring meaningful public participation, access to timely and comprehensible information, and adherence to human rights principles throughout the licensing and concession processes.<sup>88</sup> Where Indigenous Peoples are affected, their right to free, prior and informed consent must be fully respected and protected.<sup>89</sup> The issuance of licences or permits must be preceded by independent and participatory environmental and human rights impact assessments, aimed at identifying potential harm to Covenant rights and local ecosystems.<sup>90</sup> These assessments should inform decision-making and be accompanied by effective mechanisms for redress, particularly for affected communities, peasants and Indigenous Peoples.<sup>91</sup>

48. States Parties must exercise their right to dispose of natural resources in accordance with the principles of sustainability, intergenerational equity, and the prohibition of transboundary environmental harm.<sup>92</sup> Overexploitation undermines the enjoyment of Covenant rights, which depend on a healthy environment. Where communities are directly affected by extractive activities, States Parties should ensure mitigation, fair compensation, and accountability, including requiring polluters, including business entities, to cover the costs of harm and environmental rehabilitation.<sup>93</sup>

### Right to work (art. 6)

49. Changes in environmental conditions pose growing risks to employment and income, especially in climate-sensitive sectors such as agriculture and fisheries. While the transition to environmentally sustainable economies can generate new decent work opportunities, it may also result in job losses in fossil fuel-reliant sectors.<sup>94</sup> States Parties should assess, in a participatory manner, the impacts of both environmental degradation and policy responses on employment opportunities across all sectors, in line with their human rights obligations.

50. On the basis of such assessments, States Parties should formulate and implement policies to expand decent work opportunities during the transition to sustainable economies,

<sup>86</sup> E/C.12/COD/CO/4, para. 13; E/C.12/MRT/CO/1, para. 8; and E/C.12/1/Add.33, para. 10.

<sup>87</sup> E/C.12/CMR/CO/4, para. 15; and E/C.12/FIN/CO/6, para. 9 (c).

<sup>88</sup> General comment No. 25 (2020), paras. 53–56.

<sup>89</sup> General comment No. 26 (2022), paras. 15, 21 and 58; and *J.T. et al. v. Finland*, para. 14.6.

<sup>90</sup> E/C.12/KAZ/CO/2, para. 17 (e).

<sup>91</sup> General comment No. 24 (2017), paras. 17, 18 and 32; and United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, art. 5 (2).

<sup>92</sup> Rio Declaration, principles 2 and 3.

<sup>93</sup> Rio Declaration, principle 16; and E/C.12/MLI/CO/1, para. 44.

<sup>94</sup> ILO, Guidelines for a just transition towards environmentally sustainable economies and societies for all, para. 12 (d).

paying particular attention to young people, women, and persons in vulnerable or marginalized situations.<sup>95</sup> Measures should ensure that workers in transition-affected sectors have access to vocational training, career guidance, reskilling and other support to facilitate their transition to green jobs. Employment generation should also be promoted, including by expanding public services and through ecosystem restoration initiatives.<sup>96</sup> States Parties should recognize and support workers in the informal economy contributing to climate resilience and a circular economy, and take measures to facilitate their transition to formal employment.

#### **Right to just and favourable conditions of work (art. 7)**

51. Rapid environmental changes increase risks to working conditions and exacerbate existing ones, particularly through extreme weather and rising temperatures which endanger workers' health and safety. States Parties should assess these risks across all sectors and adopt preventive and protective measures to ensure just and favourable conditions of work, including in the informal economy. This includes addressing both physical and mental health impacts, ensuring access to support services, safeguarding working conditions in emerging green sectors such as renewable energy and the circular economy, and ecosystem restoration.

52. States Parties should monitor and regulate workplaces effectively in order to address climate-related health and safety risks, including through robust labour inspection systems, and should undertake these efforts in meaningful dialogue with workers and their representatives. Regulatory frameworks should require business entities to protect workers' health and safety,<sup>97</sup> and to integrate decent and productive work into their climate and environmental strategies and due diligence.<sup>98</sup> Policies should include safeguards and be aligned with internationally recognized standards, such as the core labour standards of the International Labour Organization and relevant frameworks for responsible business conduct and investment.

#### **Right to form and join trade unions (art. 8)**

53. Trade unions and their collective actions play an important role in advocating for just and favourable conditions of work and protecting workers from the impacts of environmental change and related measures. States Parties must ensure that trade unions and workers' councils are able to meaningfully participate – through social dialogue and other mechanisms – in assessing risks to working conditions, and in designing policies to address them at the national, sectoral and workplace levels.

54. Collective bargaining can be an effective mechanism for integrating environmental and climate-related concerns into workplace agreements, including provisions that ensure workers' access to relevant environmental information, the right to refuse work that poses serious environmental risks or violates environmental legislation, protection for whistle-blowers reporting environmental harm, occupational safety and health, sustainable transportation benefits, training on just transition, protection during climate-related disasters, and support for green procurement practices.

#### **Right to social security (art. 9)**

55. Access to social security, healthcare and social services is essential for reducing vulnerability and inequality and enhancing people's resilience to environmental risks. States Parties must ensure that social protection systems are adequately prepared to address the impacts of extreme weather, climate-related disasters and forced displacement. This includes incorporating climate and environmental risks, alongside life-cycle risks, into social protection systems, and linking these systems to vulnerability assessments.<sup>99</sup> Effective preparedness and support requires the early identification of individuals and groups needing support, such as older persons, persons with disabilities, or those facing livelihood loss, to

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<sup>95</sup> ILO, ILC.111/Resolution V, para. 21 (g).

<sup>96</sup> ILO, Guidelines for a just transition, para. 29 (f).

<sup>97</sup> Ibid., para. 26 (j).

<sup>98</sup> ILO, *Greening Enterprises: Transforming Processes and Workplaces*.

<sup>99</sup> ILO, *World Social Protection Report 2024–26*, p. 76.

enable them to prepare for, cope with and recover from climate-related shocks. Social protection should be made to serve as a bridge between immediate humanitarian responses and long-term sustainable development.<sup>100</sup>

56. A well-designed social protection system plays a vital role in protecting individuals from the adverse effects of environmental policies and in facilitating the transition to green jobs and sustainable livelihoods. As a core obligation under the Covenant, States Parties must guarantee universal access to essential levels of social protection, including access to essential healthcare, and basic income security for children, for persons of working age unable to earn sufficient income for reasons such as sickness, unemployment, maternity or disability, and for older persons.<sup>101</sup> Such protection must be sufficient to enable individuals and families to meet their basic needs, including adequate housing, water and sanitation, food, education, and, where relevant, disability-related costs. Furthermore, States Parties should take deliberate and targeted steps to progressively realize the right to social security, paying particular attention to those who remain unprotected, including women, workers in precarious employment relationships, and those in the informal economy.

57. States Parties must ensure that social security systems are adequately funded, resilient to future shocks, and designed to meet long-term needs, using the maximum available resources. Where national resources and capacity are insufficient to ensure sustainable social protection systems, States Parties must seek international assistance and cooperation.

#### **Right to an adequate standard of living (art. 11)**

58. The right to an adequate standard of living requires States Parties to ensure that everyone has access to the goods and services necessary for an adequate standard of living, including adequate food, water and sanitation, clothing, housing, electricity, transport and communications.<sup>102</sup> The reference in article 11 of the Covenant to “the continuous improvement of living conditions” must be understood in the light of the planet’s environmental limits. States Parties should promote transitions in areas such as food, water, housing and transport systems to ensure sustainability and resilience to environmental change.

59. The right to adequate food requires long-term access to sufficient, nutritious and culturally appropriate food through the sustainable use of natural resources, such as soil, water, seeds, biodiversity, agriculture and forests, particularly in rural areas and increasingly in urban settings. States Parties must promote a transformation of food systems consistent with human rights obligations – ensuring the long-term viability of production and distribution, increasing resilience to climate change, reducing pollution, and safeguarding biodiversity through its conservation and sustainable use.<sup>103</sup>

60. Article 11 (2) (a) of the Covenant requires States Parties to develop and reform agrarian systems “in such a way as to achieve the most efficient development and utilization of natural resources”. Efficiency must be understood to include sustainability – preserving the long-term capacity of natural resources – to support the enjoyment of Covenant rights. This includes measures to respect, protect and fulfil tenure security for all legitimate tenure rights to land, fisheries and forests, especially for individuals, communities and peoples in vulnerable or marginalized situations.<sup>104</sup> Transitioning to sustainable food systems requires planning consistent with the right to adequate food, including spatial planning that prioritizes individuals and groups in disadvantaged or marginalized situations, such as small-scale farmers.<sup>105</sup> Current agricultural policies and subsidies that support unsustainable land use and

<sup>100</sup> Ibid., p. 31.

<sup>101</sup> General comment No. 19 (2007), para. 59 (a); and E/C.12/2015/1, paras. 7–9.

<sup>102</sup> General comments No. 4 (1991); No. 12 (1999); and No. 15 (2002).

<sup>103</sup> Food and Agriculture Organization (FAO), Voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security: guideline 8E.

<sup>104</sup> General comment No. 26 (2022), paras. 22–33.

<sup>105</sup> United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, preamble and para. 7.

deplete natural resources must be transformed to enable food systems that ensure an adequate standard of living for present and future generations.

61. Industrial food systems – including production, transportation, processing, packaging, storage, retail, consumption and waste – can significantly contribute to climate change, biodiversity loss and the degradation of soil and water.<sup>106</sup> Securing the right to food entails promoting sustainable farming practices, including, where appropriate, the adoption of agroecological approaches, to reduce carbon emissions, antibiotic overuse, and reliance on intensive industrial models. These practices also help prevent zoonotic diseases and crop diseases by enhancing biodiversity and reducing harmful practices such as large-scale monoculture and excessive pesticide use.

62. Limited access to safe water and sanitation is closely linked to poverty and inequality, and is exacerbated by water pollution, water scarcity, freshwater ecosystem degradation, and climate change.<sup>107</sup> States Parties must prioritize water for personal, domestic use, and small-scale subsistence agriculture, and, as part of their core obligations, ensure universal access to safe and sufficient water and adequate sanitation, especially for those living in low-income households and other disadvantaged or marginalized situations.<sup>108</sup>

63. To that end, States Parties should adopt integrated strategies to ensure the right to water for present and future generations,<sup>109</sup> including effective measures to prevent water pollution, to reduce unsustainable or inefficient use and to address distribution losses. States Parties are also required to enact and enforce regulatory frameworks to prevent businesses and other actors from polluting, overextracting from or degrading freshwater ecosystems. Water and sanitation infrastructure must be designed, built and maintained to be resilient to the impacts of extreme weather and natural disasters.<sup>110</sup>

64. As a significant share of the world's freshwater resources lie in transboundary aquifers and river basins, the effective realization of the right to water and sanitation requires international cooperation,<sup>111</sup> including regarding water quality, equitable distribution, flood management, climate change adaptation, and sustainable management of shared water resources.

65. States Parties must take timely adaptation measures to ensure that housing is resilient to climate impacts, such as insulation, efficient heating, and cooling. States Parties must also adopt mitigation measures to reduce housing-related emissions, such as promoting sustainable materials, enhancing energy efficiency, and supporting the use of renewable energy for cooking, heating, cooling and lighting.<sup>112</sup> Adaptation and mitigation measures must not undermine the right to adequate housing, especially for residents of informal settlements and persons in disadvantaged or marginalized situations, by increasing housing costs, energy poverty or homelessness, or reinforcing pre-existing inequalities.

66. Adequate urban and rural planning at the national and local levels should address climate change risks, disaster preparedness, pollution, access to water and waste management, affordable public transport, healthcare, social services, and income-generating opportunities.<sup>113</sup> Planning should also incorporate net-zero building codes, green spaces, and measures to mitigate urban heat islands. Construction standards must promote climate resilience and reduce emissions.

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<sup>106</sup> Intergovernmental Panel on Climate Change, *Climate Change and Land: An IPCC Special Report* (2019), p. 439.

<sup>107</sup> A/HRC/46/28, para. 31; and UN-Water and UNESCO, *United Nations World Water Development Report 2020: Water and Climate Change*, p. 2.

<sup>108</sup> General comment No. 15 (2002), para. 37.

<sup>109</sup> Ibid., para. 28.

<sup>110</sup> A/HRC/46/28, para. 73.

<sup>111</sup> UN-Water and UNESCO, *United Nations World Water Development Report 2024: Water for Prosperity and Peace*, p. 7.

<sup>112</sup> A/HRC/52/28, para. 70.

<sup>113</sup> Sustainable Development Goal 11.

### **Right to the highest attainable standard of physical and mental health (art. 12)**

67. The right to health requires States Parties to ensure access to timely, acceptable and affordable quality healthcare, and to provide for the underlying determinants of health.<sup>114</sup> Laws and policies must prevent and reduce air, water and soil pollution, including contamination by heavy metals.<sup>115</sup>

68. Environmental degradation, climate change and biodiversity loss pose serious health risks, with disproportionate and inequitable impacts both within and between States. States Parties should take specific measures to protect and fulfil the right to health for those most affected by environmental harms. International assistance and cooperation are essential to addressing transboundary health risks linked to environmental degradation.

69. Health policies and programmes must address both the physical and the mental health impacts of environmental degradation, including by building accessible, sustainable and resilient health systems. Attention should also be given to ensuring culturally appropriate healthcare services for all, including Indigenous Peoples, and to protecting practices and resources for traditional medicine. Intersectoral collaboration is vital to addressing the interrelated nature of human, animal and environmental health, and to promoting planetary health, on which human health ultimately depends. The meaningful participation of civil society organizations and representatives of disadvantaged or marginalized groups should be ensured throughout all stages of health planning to promote more inclusive outcomes.

70. Health policymaking and resource allocation must account for long-term health challenges arising from environmental crises. States Parties must design, implement and maintain health systems and services that are resilient to environmental shocks and their associated economic and social impacts. Sustainable public investment is essential, both in the underlying determinants of health and in strengthening of the health system itself, including through the training, recruitment and retention of a sufficient number of healthcare workers, and the protection of their labour rights.

### **Right to education (arts. 13 and 14)**

71. Access to education, infrastructure, and learning outcomes are increasingly affected by environmental degradation. Extreme weather, sea-level rise, floods, excessive heat or cold, water scarcity and displacement significantly affect schooling, students' well-being and the quality and continuity of education. These challenges require adaptation consistent with human rights obligations, including climate-resilient infrastructure, inclusive planning and disaster preparedness. States Parties should guarantee continuous quality education for displaced children, including those in informal settlements, and ensure that school facilities are safe, physically accessible, and adequate, with secure access routes and reliable water and sanitation.

72. Education on sustainable development, human rights and environmental protection is an essential component of quality education and lifelong learning. States Parties should integrate environmental and climate education, including biodiversity protection, at all levels of education, linking it to human rights and environmental justice. Environmental values should be embedded in curricula, teacher training, pedagogy and school environments. Learners of all ages should be able to acquire the knowledge, skills and agency to address global challenges, and to take informed action to safeguard the environment and promote sustainability.

### **Right to take part in cultural life and to enjoy the benefits of scientific progress (art. 15)**

73. Culture shapes and reflects how individuals and communities relate to nature and conduct their economic, social and political lives.<sup>116</sup> Cultural rights require States Parties to respect, protect and promote diverse cultural expressions, practices and knowledge systems.

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<sup>114</sup> General comment No. 14 (2000), paras. 4, 11 and 12.

<sup>115</sup> Ibid., paras. 36 and 51.

<sup>116</sup> General comment No. 21 (2009), paras. 13 and 36.

The disconnection of people from nature and the domination of certain groups of people over nature and other groups of people are among the underlying causes of biodiversity loss and related environmental degradation.<sup>117</sup> Therefore, cultural rights are crucial to sustainable development. Indigenous Peoples, peasants and local communities have often developed cultural practices and knowledge systems that support both human and ecological well-being.<sup>118</sup> States Parties must integrate cultural rights into development strategies and promote intercultural dialogue and knowledge-sharing to address the root causes and impacts of climate change, biodiversity loss and pollution.

74. Cultural heritage is increasingly threatened by climate change. Floods, sea-level rise, coastal erosion, wildfires and extreme weather damage both tangible and intangible heritage. The sustainable enjoyment of cultural rights requires States Parties to consider long-term needs when providing support to artists, cultural institutions and scientific bodies. Individuals and communities should be supported in safeguarding cultural sites, traditions and practices in response to environmental change.

75. The right to science entails access to scientific education and knowledge, fair sharing of the benefits of scientific progress, and the obligation to promote research that addresses priority needs, especially for people in vulnerable and marginalized situations.<sup>119</sup> Given the critical role of science and technology in addressing environmental crises and supporting sustainable transformation in the patterns of production and consumption, States Parties must adopt evidence-based environmental policies, ensure public access to environmental information, safeguard against disinformation, particularly on climate change, and promote equitable access to the benefits of scientific progress.<sup>120</sup> In line with the precautionary principle, States Parties must regulate the use of unproven climate-related technologies. International cooperation is essential for fair sharing of scientific knowledge and transfer of environmentally sound technologies.

## V. Individuals and groups in particularly vulnerable situations

76. Environmental degradation, including climate change, intensifies the vulnerabilities of individuals and groups who have historically experienced and/or experience marginalization. These vulnerabilities are shaped by intersecting factors such as socioeconomic status, race, ethnicity, gender, disability, age, migratory status, sexual orientation and gender identity.<sup>121</sup> The impacts of environmental harm vary within and between groups, depending on the context. Risks are particularly acute for those subject to multiple and intersecting forms of discrimination, which compound the consequences of environmental harm and further constrain access to remedies, resources and resilience-building measures.

77. States Parties must identify those most at risk, address structural inequalities that heighten their exposure to environmental harm, and protect against human rights risks arising both from environmental degradation and from measures taken in response. Ensuring the meaningful participation of affected individuals and groups throughout all stages of the decision-making is essential. While the adverse effects of environmental degradation can affect many, the present section is focused on children, on Indigenous Peoples, peasants, pastoralists and fishers whose livelihoods and cultures are closely connected to nature, and on displaced persons.

### Children

78. Climate change, biodiversity loss and pollution significantly affect children's rights and well-being. Younger children are especially susceptible to environmental harm from pollution and toxic chemicals, which can have long-term impacts on their health and

<sup>117</sup> IPBES/11/12/Add.2, p. 5.

<sup>118</sup> A/77/290, paras. 32 and 33.

<sup>119</sup> General comment No. 25 (2020), para. 52.

<sup>120</sup> A/79/176, para. 52.

<sup>121</sup> A/79/270, para. 88.

development.<sup>122</sup> Food and water insecurity, intensified by environmental degradation, heightens the risks of acute and chronic malnutrition and disease.<sup>123</sup> The loss of family livelihoods, especially in the informal sectors, can increase the incidence of child labour and deepen poverty, and environmental stressors and climate-related disasters may disrupt education, increase school dropout rates, affect mental health, and heighten exposure to violence, exploitation and child marriage.<sup>124</sup> Children in vulnerable situations, including those living in poverty, displacement, or social exclusion, are often disproportionately affected. The Committee also recognizes that children around the world are at the forefront of environmental action, drawing attention to the human rights consequences of environmental degradation.<sup>125</sup>

79. States Parties must adopt environmental measures that are child-sensitive, in the best interests of the child,<sup>126</sup> and grounded in science and international standards. Children must be adequately protected from toxic substances, pollution and other environmental harms, in line with their right to the highest attainable standard of health. Long-term risk assessments must consider the specific impacts of environmental degradation on children. Children's right to be heard and to participate must be respected throughout all relevant processes. States Parties should also recognize and protect child rights defenders, and establish safe and effective mechanisms for their participation in environmental and climate action.<sup>127</sup>

### **Indigenous Peoples**

80. Indigenous Peoples are among the most affected by climate change, deforestation, pollution and biodiversity loss, particularly in relation to their livelihoods, health and cultural identity. Environmental harm can result in the loss of both tangible and intangible cultural heritage, leading to a profound erosion of identity, traditional knowledge, cultural practices, and connection to ancestral homelands.<sup>128</sup>

81. The deep relationship between Indigenous Peoples and their ancestral lands forms the foundation of their cultural, spiritual and social identity, and provides for their basic needs and livelihoods. Through this relationship, they have developed, in many contexts, systems of knowledge, governance and stewardship that promote living in harmony with nature and contribute to conserving biodiversity and ecosystems. These contributions are essential to the realization of sustainable development and environmental protection.

82. States Parties must recognize the inalienable rights of Indigenous Peoples to their ancestral lands and territories and their natural resources, and must fully respect their right to free, prior and informed consent in all matters affecting their rights.<sup>129</sup> As part of their human rights due diligence, States Parties must ensure that environmental measures – including those related to climate change mitigation and adaptation, and biodiversity offsets – do not result in land-, forest- or water-grabbing in Indigenous territories or otherwise undermine Indigenous Peoples' rights.

### **Peasants, pastoralists, fishers and other people living in rural areas**

83. Peasants, pastoralists and other people living in rural areas, including small-scale farmers and fishers, are severely affected by climate change, pollution and biodiversity loss. These environmental crises alter water availability, vegetation patterns and seasonal cycles, drive sea-level rise, desertification and land-use change, and disrupt agriculture, fishing and

<sup>122</sup> Committee on the Rights of the Child, general comment No. 26 (2023), paras. 38–41; and [HRI/2019/1](#), para. 3.

<sup>123</sup> [A/HRC/46/28](#), para. 44.

<sup>124</sup> Committee on the Rights of the Child, general comment No. 26 (2023), para. 35.

<sup>125</sup> The present general comment has benefited from the lived experiences and meaningful contributions of children, gathered through five regional workshops held as part of the consultation process.

<sup>126</sup> Committee on the Rights of the Child, general comment No. 26 (2023), para. 16.

<sup>127</sup> Inter-American Commission on Human Rights, resolution No. 3/2021, para. 29.

<sup>128</sup> Intergovernmental Panel on Climate Change, *Climate Change 2023: Synthesis Report, Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, p. 51.

<sup>129</sup> *J.T. et al. v. Finland*, para. 14.6.

traditional livelihoods. Extreme weather events and environmental degradation reduce biodiversity, undermine traditional seed and breeding systems, and deplete aquatic resources through warming and pollution. Together, these impacts threaten rural communities' right to food, to an adequate standard of living and to their cultural identity. States Parties must protect them from these adverse impacts.

84. Recognizing the crucial contribution of peasants, pastoralists and other people in rural areas to the sustainable use and management of natural resources and ecosystems, States Parties must protect and promote their traditional knowledge, innovations and practices,<sup>130</sup> and ensure their rights to secure tenure of and equitable access to land and other natural resources critical for their livelihoods.<sup>131</sup> States Parties must also guarantee their meaningful participation in the design, implementation and monitoring of environmental measures.

85. Special measures are required for the most marginalized in rural areas, such as landless peasants, agricultural labourers, fisherfolk and rural women, who often face systemic discrimination in accessing land and other natural resources, including water, seeds, forests and aquatic ecosystems.<sup>132</sup> Pastoralism remains a sustainable livelihood that can support biodiversity and fragile dryland and high-altitude ecosystems, but is increasingly affected by changing vegetation zones, heat and drought. Adaptation policies must include support for pastoralist communities. States Parties must also respect and, as far as possible, protect the customary rights of fishing communities to seas, rivers, lakes and aquatic resources, while promoting alternative income-generating opportunities.<sup>133</sup>

#### **Persons displaced in the context of climate change and natural disasters**

86. States Parties must prevent climate-induced displacement, by strengthening mitigation, adaptation and disaster risk reduction measures. Where relocation or resettlement is unavoidable to protect life and health, it must be treated as a last resort, and be carried out in full accordance with international human rights standards and through meaningful consultation with affected communities.<sup>134</sup> Displaced persons must have equal access to Covenant rights, including food, water and sanitation, housing, healthcare, education, livelihoods and cultural life. The minimum core obligations under the Covenant apply equally to displaced persons. For those displaced across borders due to climate change, States Parties must uphold the principle of non-refoulement and provide legal protection.<sup>135</sup> In line with the principle of common but differentiated responsibilities, States Parties must cooperate internationally to mobilize resources for supporting displaced persons, including through climate-related loss and damage mechanisms.<sup>136</sup>

## **VI. Remedies and accountability**

87. Respecting, protecting and fulfilling Covenant rights requires States Parties to prevent, mitigate and redress harm resulting from climate change, pollution and biodiversity loss. A State's failure to take appropriate action to protect the climate system from greenhouse gas emissions may constitute an internationally wrongful act attributable to the State.<sup>137</sup> Where Covenant rights are violated due to environmental degradation, States Parties must ensure access to timely, affordable and effective judicial and non-judicial remedies,<sup>138</sup> providing

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<sup>130</sup> General comment No. 25 (2020), para. 39.

<sup>131</sup> General comment No. 26, paras. 18 and 19; and United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, arts. 17 and 19.

<sup>132</sup> United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, art. 17.

<sup>133</sup> FAO, Voluntary guidelines for securing sustainable small-scale fisheries in the context of food security and poverty eradication, para. 7.10.

<sup>134</sup> [A/HRC/56/47](#), paras. 13–15; and [A/79/317](#), para. 87 (b).

<sup>135</sup> [A/HRC/53/34](#), paras. 68 and 69; and *Teitiota v. New Zealand* ([CCPR/C/127/D/2728/2016](#)), para. 9.11.

<sup>136</sup> [A/HRC/56/47](#), para. 35.

<sup>137</sup> International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, para. 427.

<sup>138</sup> General comment No. 24, para. 41.

victims with access to reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.<sup>139</sup> States Parties should also enable collective legal standing and access to justice, where appropriate, including for those who act in the interests of future generations – such as youth representatives, guardians ad litem, and public interest organizations – and adopt flexible criteria for evidentiary rules to avoid procedural barriers for victims.<sup>140</sup>

88. States Parties are also obliged to prevent and redress infringements of Covenant rights resulting from environmental harm caused by business entities and other non-State actors subject to their jurisdiction or control, including those operating abroad.<sup>141</sup> States Parties, particularly the home States of the actors responsible, must take appropriate measures to ensure access to effective redress mechanisms for victims of transboundary harm, especially where such remedies are unavailable or ineffective in the States where the harm occurs.

89. States Parties must cooperate in good faith to address adverse impacts of environmental degradation, including economic and non-economic loss and damage, as part of their obligation to ensure reparation for harm caused. This includes contributing adequate resources for mechanisms such as the climate-related loss and damage fund, and ensuring that affected individuals and communities have equitable access to effective remedies and redress.

90. States Parties must also ensure that accountability, monitoring and investigation mechanisms are effective in preventing and addressing any unintended adverse effects of laws and policies related to climate change, biodiversity loss and pollution, particularly for individuals or groups in disadvantaged or marginalized situations. National human rights institutions, ombudspersons and similar bodies should be empowered to address violations of Covenant rights and oversee compliance in this area. Monitoring processes should be inclusive and participatory, and supported by qualitative insights and disaggregated quantitative data.

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<sup>139</sup> Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law; [A/77/226](#), para. 26; and International Court of Justice, *Obligations of States in respect of Climate Change, Advisory Opinion*, paras. 445 and 456.

<sup>140</sup> Inter-American Court of Human Rights, advisory opinion OC-32/25, para. 554.

<sup>141</sup> The Guiding Principles on Business and Human Rights require access to effective remedies for human rights abuses by business entities, including for abuses linked to environmental harms. See [A/HRC/17/31](#), annex, paras. 25–31.