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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Sikh Human Rights Group, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2022]

* Issued as received, in the language of submission only.



Pluralist Approach to the Human Right to a Clean, Healthy and Sustainable Environment – Resolution 48/13

This written statement was originally planned for presentation at the 50th session of the Human Rights Council, 13 June-8 July 2022

The 8th of October 2021 marked a turning point in the evolution of human rights as the United Nations Human Rights Council adopted a historic resolution recognizing the human right to a clean, healthy and sustainable environment for the first time at a global level - Resolution 48/13. Whilst this right is already recognized in law by more than 80 per cent of the United Nations Member States the new resolution should be, in the United Nations Human Rights Councils and the Sikh Human Rights Groups (SHRG) opinion, the catalyst for universal recognition in constitutions, legislation and regional human rights treaties, as well as for accelerated action to address the global environmental crisis.

However, it is imperative to remember that the multiple challenges, issues and threats of climate change and other forms of environmental degradation demand recovery efforts that prioritize women, young people and other disempowered and marginalized communities. Therefore, in SHRGs opinion, it is a human rights imperative that State Governments and other relevant stakeholders, when enacting, implementing, or upholding Resolution 48/13 act upon the Special Rapporteur on the Right to Developments recommendation, in paragraph 6 of his report entitled A/HRC/48/56, that Governments and by association their electorate should consistently promote open channels for participation at all stages of the planning, implementation and monitoring of climate-related policies and programmes for all relevant stakeholders. Opportunities should be provided for equal and meaningful participation in all relevant planning and decision-making processes of the most disadvantaged sectors of society, including persons with disabilities, women, children and young people, minorities, Indigenous peoples, peasants, persons of African descent and members of other disempowered and marginalized groups.

For example, and as stated by the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment in his report entitled A/HRC/49/5, while all humans are exposed to pollution and toxic chemicals, there is compelling evidence that the burden of contamination falls disproportionately upon the shoulders of individuals, groups and communities that are already enduring poverty, discrimination and systemic marginalization. Women, children, minorities, migrants, Indigenous peoples, older persons and persons with disabilities are potentially vulnerable, for a variety of economic, social, cultural and biological reasons. Workers, especially in low and middle-income nations, are at risk because of elevated exposures on the job, poor working conditions, limited knowledge about chemical risks and lack of access to health care. Millions of children are employed in potentially hazardous sectors including agriculture, mining and tanning. This is important as the disturbing phenomenon of poor and marginalized communities being more heavily affected by pollution is a form of environmental injustice. Environmental injustices related to pollution and the production, export, use and disposal of toxic substances are rooted in racism, discrimination, colonialism, patriarchy, impunity and political systems that systematically ignore human rights.

In pursuit of achieving the goal of clean air and ensuring marginalized and minority groups are considered in policies and action plans by Member State Governments, we wish to suggest Sikh Human Rights Group (SHRG) position or that a plural approach is taken to the aforementioned matters. The SHRG firmly believes that there is a tendency, amongst the international environmental protection community and prominent international environmental organizations and agencies, such as the United Nations, towards universalizing ethical values and attempting to form environmental protection Conventions, Treaties and regulations based on a mythical assumption that there is one universal set of collective values. This type of so-called universalism is the idea that one size fits all or that one universal ideology of ethics can justifiably permeate all international agreements and can therefore be directly applicable to all categories of persons around the world. That this universalistic outlook is the key to solving all of the environmental issues that currently persist around the globe. However, what the above model fails to appreciate is the fact that different people, cultures, civilizations and countries have different concepts and approaches,

which also change over time, to political, economic, and social policies based on historical and cultural influences that determine their governance or their individual approaches when it comes to tackling the myriad of environmental issues and threats that are currently persisting around the world as well as making marginalized and minority communities inclusive within wider society.

Almost all cultures, civilizations and community belief systems have some concepts, rules and taboos that can inform us about the human relationship with the environment and with each other. This deep understanding, reverence and experience, reflects the consciousness of our evolving place in the environment. Through our affiliates' Repository of World Views of Nature project, we can see how all Indigenous peoples have sophisticated environmental protection concepts that date back to prehistory.

However, what has occurred through a universalist approach is many environmental organizations and agencies marginalizing the wisdoms that cultures and community beliefs carry about human relationships with nature, and which were embedded in traditions, customs, festivals and outlooks.

The SHRG respectfully submits that it is only when communities from different cultures, civilizations and nations along with minorities and persons with disabilities, women, children and young people, older persons, minorities, Indigenous peoples, peasants, persons of African descent and members of other disempowered and marginalized groups rediscover the reverence for nature, biodiversity, and other life forms in their own way, through their own customs, beliefs and cultures that the human population as a whole will act with greater passion for the protection of our environment, take ownership of their development and move away from what is currently found under the prevailing utilitarian, legalistic and rationalistic approach.

Consequently, the SHRG would like to suggest that the United Nations and other large international organizations, Member State Governments, NGOs and civil society actors agree on goals such as what precisely is desirably clean air or how much to reduce pollution by and at the same time encourage different civilizations and cultures to codify and promote their own ethical values to achieve these goals. Whether this is through a regime of rights or responsibilities is very much a cultural preference.

Let us concentrate on achieving a clean, healthy and sustainable environment - Resolution 48/13 for all and promote a plurality of approaches to reach those goals.
