

The Rt Honourable David Lammy MP
Secretary of State
Foreign, Commonwealth and Development Office

The Rt Honourable Shabana Mahmood MP
Secretary of State
Ministry of Justice

The Rt Honourable Steve Reed MP
Secretary of State
Department for Environment, Food and Rural Affairs

By email

22 November 2024

Dear Secretaries of State

UK support for an Additional Protocol to the European Convention on Human Rights recognising the right to a healthy environment.

We are writing on behalf of 68 civil society organisations across the UK. Many of us are also part of a campaign of more than [450 civil society organisations, social movements and Indigenous Peoples' organisations, and more than 200 scholars](#). We share a common goal of the swift recognition of the human right to a clean, healthy, and sustainable environment from the domestic to global level.

Together, we urge the UK Government to champion the adoption of an additional protocol on the right to a clean, healthy and sustainable environment within the European Convention on Human Rights and Fundamental Freedoms (ECHR) at the Council of Europe's ad hoc Multidisciplinary Group on Environment and Steering Committee for Human Rights from 25-29 November 2024.

The protection of human rights and the environment are inextricably linked. Toxic air, water contaminated with hazardous chemicals and depleted biodiversity are already exposing people and communities to serious health threats across the UK - and the consequences of this are already visible. Communities of colour, [women](#), children, people with disabilities, LGBTI people, those experiencing income deprivation or living in insecure housing are disproportionately impacted by pollution, environmental unhealth and barriers to accessing justice. One in four neighbourhoods in England are [pollution hotspots](#) with air, water, noise and light pollution exceeding safe thresholds for wildlife. There are up to 36,000 annual deaths from air pollution across the UK, while [over 8 million adults](#) spent the last year in cold, damp homes which contributed to worsening public health and pressures on the NHS. And raw sewage was [discharged](#) into UK waterways over half a million times last year alone, meaning 75% of UK rivers are a serious risk to human health.

Civil society's ability to identify and address these threats underlines the importance of participatory environmental rights in securing a healthy environment for people and wildlife. The enjoyment of a clean and healthy environment is contingent on individuals and groups being able to defend and enhance this right in domestic law. An additional protocol to the ECHR would strengthen these participatory benefits, and improve the UK Government's ability to make informed, effective decisions - for example around nature-friendly farming and climate action - to address the public health threat from environmental pollution and reinforce the human rights of UK citizens.

A significant majority (42 of 46) of the Council of Europe's member states recognise an autonomous legal right to a healthy environment at the national level, yet the UK is one of four countries that has no corresponding right in national law. Although Article 1 of the Aarhus Convention sets out the right, the UK is the only party to the Convention to have declared the reference to Article 1 and the associated preambular text to be an 'aspiration' and, to date, to have refrained from incorporating the right into UK domestic law. The failure to recognise the right to a healthy environment as a legal right has thus far identified the UK as an outlier amongst its counterparts. This gap is compounded as the UK has ['obstructed' civic freedoms](#), including the [exercise of Aarhus Convention rights](#).

However, the UK's membership of the Council of Europe gives this new Government an opportunity to strengthen its commitment to environmental rights, by taking a lead in embedding state-level support for a healthy environment into regional structures.

It is essential that the ECHR as a whole evolves to address contemporary realities and the most important human rights challenge of our time: the triple planetary crisis of climate change, biodiversity loss and pollution. The human right to a healthy environment is recognised in the main human rights treaties of every region except Europe, most notably in the African Charter on Human and Peoples Rights, and in the 1988 Additional Protocol to the American Convention on Human Rights. Yet, despite national recognition of the right, it is not currently defined and codified within the ECHR. At the UN General Assembly in 2022, 161 states including the UK voted in favour of a resolution recognising a right to a healthy environment. Alongside every other Head of State and Government of the members of the Council of Europe, the UK committed to "strengthening [their] work at the Council of Europe on the human rights aspects of the environment based on the political recognition of the right to a clean, healthy, and sustainable environment as a human right in line with [United Nations General Assembly Resolution 76/300](#)."

With the Government's intentions to renew UK leadership on climate and nature, the UK has a unique opportunity to spearhead action to make good on these commitments, by advocating for the adoption of this Additional Protocol to the ECHR.

By doing so, the UK will demonstrate its commitment to all in the UK and global leadership on environmental issues. Critically, it will also enable the Council of Europe to collectively reaffirm its commitment to comprehensive human rights protection and maintain its relevance and leadership in light of global environmental and climate realities.

For further information, please see enclosed [Q&A](#) and [briefing](#).

We are united in our call to recognise the right to a healthy environment. We hope that you will hear the call of UK civil society and support the adoption of an Additional Protocol to the ECHR.

We would be very happy to meet to discuss these issues further.

Yours sincerely,

Aberdeen Climate Action

ACORN

Amnesty International UK

Alliance for Cancer Prevention

Badenoch & Strathspey Conservation Group

Bat Conservation Trust

Born Free Foundation

Bumblebee Conservation Trust

Butterfly Conservation

Cairngorms Campaign

ClientEarth UK

Community Energy Scotland

Conflict and Environment Observatory

End Fuel Poverty Coalition

Environmental Rights Centre for Scotland

Environmental Rights Recognition Project, King's College Legal Clinic

Equality Network

Faith for the Climate

Forest Peoples Programme

Friends of the Earth England, Wales and Northern Ireland

Friends of the Earth Scotland

Greenpeace UK

Healthy Air Coalition

Human Rights Consortium Scotland

Human Rights Watch

Institute of Fisheries Management

John Muir Trust

Just Fair

Keep Scotland Beautiful

Keep Wales Tidy

Locavore

Marine Conservation Society

Making Rights Real

NESCAN Hub

North East Mountain Trust

Northern Ireland Environment Link

Nourish Scotland
Oceana UK
Open Spaces Society (OSS)
Oxfam GB
People's Trust for Endangered Species
Pesticide Action Network UK
Plantlife
Project Seagrass
Race Equality Foundation
Renters' Rights London
Rewilding Britain
River Action
RSPB
Scottish Independent Advocacy Alliance (SIAA)
Scotland's International Development Alliance
Scottish Communities Climate Action Network (SCCAN)
Scottish Community Alliance
Scottish Environment Link
Scottish Wild Land Group
Seal Research Trust
Soil Association Scotland
Stop Climate Chaos Scotland
The Wildlife Trusts
Together (Scottish Alliance for Children's Rights)
UK Health Alliance on Climate Change
Uplift
Wales Environment Link
Warm this Winter
WEAll Scotland
Wellbeing Economy Alliance Scotland
Wildlife and Countryside Link
Wild Justice
Zoological Society of London (ZSL)

Replies can be sent to Wildlife & Countryside Link's Director of Policy & Advocacy, Matt Browne:
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