



General Assembly

Seventy-sixth session

97th plenary meeting
Thursday, 28 July 2022, 10 a.m.
New York

Official Records

President: Mr. Shahid (Maldives)

In the absence of the President, Mr. Peñaranda (Philippines), Vice-President, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 66

Peacebuilding and sustaining peace

Draft resolution (A/76/L.74)

The Acting President: I should like to inform members that the debate on this item will take place on a later date to be announced.

I now give the floor to the representative of Turkmenistan to introduce draft resolution A/76/L.74.

Mrs. Ataeva (Turkmenistan) (*spoke in Russian*): On behalf of Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan and my delegation, Turkmenistan, allow me to introduce draft resolution A/76/L.74, entitled “Zone of peace, trust and cooperation of Central Asia”.

We thank all delegations for the constructive and fruitful negotiations, which have produced a substantive draft resolution. We note with satisfaction the continued broad interregional support for the draft resolution. Throughout the process of negotiating the text of the draft resolution, we made every effort to maintain a constructive atmosphere and to reach consensus.

The Charter of the United Nations calls upon all Members of the Organization to maintain international peace, develop friendly relations, pursue international cooperation and settle their disputes by peaceful

means. In developing those purposes and principles, the international community has long recognized that the establishment of zones of peace in various regions of the world can contribute to the security of States in such zones, as well as international peace and security as a whole.

Concrete efforts in that regard were made by countries in various regions of the world, such as the Indian Ocean, the Mediterranean, South-East Asia and the South Atlantic.

We believe that the time has come to formulate and promulgate clearly articulated principles and norms that, taking into account the legitimate interests of the Central Asian countries, will contribute to peace, security and sustainable development in that region, strengthening cooperation and cultural ties among people in the Central Asian region.

It is obvious to us, as it is to everyone, that the promotion of the common interests of our peoples is fully consistent with the ideals and standards that should govern friendly relations among States.

The draft resolution “Zone of peace, trust and cooperation of Central Asia” was prepared after extensive consultations among the countries of the region, while taking into account the constructive views and proposals of other countries. The draft resolution reflects concepts and ideas that have evolved in the region over the years. It also reflects the aspirations, principles and goals that the countries of the region share concerning the future of their region and it emphasizes their commitment to strengthening

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mutual understanding and cooperation among themselves and promoting a healthier international relations environment.

In its tenth preambular paragraph, the draft resolution states that the countries of Central Asia are determined to preserve their independence, sovereignty and territorial integrity and to develop their relations in peace and liberty, not only for their own benefit but for that of all humankind. The draft resolution also emphasizes the special interest and responsibility of our countries in terms of promoting regional cooperation for peace, security and development, through which the region can make a significant contribution to international peace and security and ensuring that the purposes and the principles of the Charter of the United Nations are realized.

In the fifth and sixth preambular paragraphs, the draft resolution recalls the proclamation by the General Assembly every five years of the International Year of Peace and Trust, which was declared for the first time in 2021 pursuant to resolution 73/338. We believe that the promotion of peace is the main objective of the United Nations. In that regard, the proclamation every five years of the International Year of Peace and Trust will help motivate the international community to build peace and trust among States through, inter alia, political dialogue, mutual understanding and cooperation, with a view to building sustainable peace, solidarity and harmony.

As Secretary-General António Guterres noted in his address to the representatives of Member States at the general debate of the General Assembly at its seventy-third session,

“Our world is suffering from a bad case of trust deficit disorder ... [T]rust is at a breaking point — trust in national institutions, trust among States and trust in the rules-based global order ... Among countries, cooperation is less certain and more difficult ... Trust in global governance is also fragile, as twenty-first-century challenges outpace twentieth-century institutions and mindsets” (*A/73/PV.6, p. 1*).

In that regard, our goal is to call on the international community to promote the ideals of peace and trust by all means possible and demonstrate their commitment to peace, trust and dialogue. The countries of Central Asia hold enormous potential for cooperation and development. They share a common spiritual, cultural

and historical heritage. They are united by their faiths, linguistic kinship and similar outlooks. The countries of the region also share transportation and communication networks and mutually complementary economies.

Contacts among their Heads of State have increased recently, thereby strengthening political trust among our countries, and we have begun to talk more about the benefits of cooperation rather than competition. We have also begun to share the same view of the need to seek reasonable compromises on a number of sensitive regional issues. The draft resolution reflects the regular consultative meetings held among the Heads of State of Central Asia as a new form of cooperation that reflects a desire to peacefully resolve existing issues. The most recent such meeting was held on 21 July in Bishkek.

The draft resolution also welcomes the Central Asian Women Leaders’ Caucus, which was established in December 2020 with the participation of the United Nations Regional Centre for Preventive Diplomacy for Central Asia and the United Nations Development Programme. It is the first platform of its kind in the region and aims to increase women’s political, economic and social participation in Central Asia. We acknowledge the importance of preventive diplomacy and the role played by the United Nations Regional Centre for Preventive Diplomacy for Central Asia in that regard.

Paragraph 1 of the draft resolution declares the region of Central Asia a zone of peace, trust and cooperation.

Paragraph 2 of the draft resolution notes with satisfaction the significant practical contribution of the Central Asian States in strengthening regional peace, trust and cooperation in achieving sustainable development, as well as their efforts in that regard.

Paragraph 3 of the draft resolution reaffirms that threats to stability and sustainable development in the region require closer and more coordinated cooperation among the States of Central Asia, and it reaffirms the importance of regional cooperation involving regional and international organizations in addressing those threats.

Peacekeeping is inextricably linked to socioeconomic development. In addition to the much-needed efforts to promote further regional cooperation called for in paragraph 5 of the draft resolution, we have an opportunity to broaden cooperation among

the countries of Central Asia in exploring new ways to develop our potential and achieve better living conditions for our people.

Paragraph 6 of the draft resolution encourages all States of the region and all other regions to cooperate in efforts towards sustaining peace in the Central Asian zone and to respect the national unity, sovereignty, political independence and territorial integrity of all States of the region, while strictly observing the Charter of the United Nations.

The text of draft resolution A/76/L.74 reflects the consensus of the States of the region. Its success will depend on the support of the international community. We hope that all countries aspiring to achieve peace, development and cooperation will show their full support for it. We believe that, through our joint efforts, our nations will strive towards and succeed in transforming Central Asia into a region of peace, trust and cooperation.

The Acting President: We shall now proceed to consider draft resolution A/76/L.74.

I give the floor to the representative of Pakistan, who wishes to speak in explanation of position before action is taken.

Mr. Akram (Pakistan): Pakistan expresses its appreciation to the Governments of Turkmenistan and the other Central Asian countries, including Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, for proposing an important draft resolution (A/76/L.74) on the zone of peace, trust and cooperation of Central Asia. We welcome in particular the introduction of the draft resolution by Ambassador Aksoltan Ataeva, Permanent Representative of Turkmenistan, on behalf of the countries of Central Asia. Pakistan fully supports this timely draft resolution and its objectives.

The endeavour to promote peace, trust and cooperation in Central Asia and other regions is more vital today than ever. Today the world order established 75 years ago on the basis of the fundamental principles of the Charter of the United Nations is under threat. Over the past few decades, we have witnessed the frequent resort to unilateral force and external intervention. Foreign occupation persists in several regions. Conflicts among and within nations have proliferated. Ideologies of hate — Islamophobia, anti-Semitism and fascism — have re-emerged. And a new and destabilizing global arms race is under way.

In that challenging global environment, it is essential to revive respect for the principles of the Charter of the United Nations, actively promote the peaceful resolution of conflicts and international cooperation and overcome the global challenges of development and climate change.

Central Asia connects the East with the West and the North with the South. Peace and stability in this region are vital in achieving stability, cooperation and international trade. The objectives of the draft resolution — to strengthen international peace and security, promote the purposes and principles of the United Nations Charter, advance multilateralism and enhance mutual understanding and cooperation — are also essential building blocks for economic development, regional peace, prosperity and connectivity in Central Asia and beyond. We believe that regional connectivity and cooperation can also contribute to building and sustaining peace, stability and security.

Earlier this month, Pakistan supported and co-sponsored the important resolution (resolution 76/295) initiated by Uzbekistan on strengthening connectivity between Central and South Asia. The ancient Silk Route, which connected the East and West across the Eurasian heartland, was a prime historical example of the benefits of regional connectivity. It unleashed an era of prosperity in Central Asia. China's Belt and Road Initiative and the China-Pakistan Economic Corridor are timely initiatives to revive the prospects of prosperity through regional connectivity and cooperation.

Relations between the peoples of Central Asia and Pakistan are rooted in a shared historical and cultural heritage. Pakistan is committed to building connectivity and cooperation in trade, investment, transport, energy, tourism and other sectors with our Central Asian neighbours. Our traditional cooperation with the Central Asian States has further deepened in recent years. For the landlocked Central Asian States, Pakistan can serve as a gateway, not only to South Asia but also to global markets. To guarantee the promotion of sustainable peace in the region, it is also vital to ensure durable peace and security in Afghanistan.

Today, after 40 years of conflict, there is an opportunity to bring peace and development to Afghanistan. To that end, sustained engagement is essential with the de facto Afghan Government, especially by all of its six immediate neighbours. That

will consolidate the zone of peace, trust and cooperation of Central Asian countries.

The Acting President: We have heard the only speaker in explanation of position before action is taken.

The Assembly will now take a decision on draft resolution A/76/L.74, entitled “Zone of peace, trust and cooperation of Central Asia”.

I give the floor to the representative of the Secretariat.

Ms. Herity (Department for General Assembly and Conference Management): I would like to announce that, since the submission of draft resolution A/76/L.74 and in addition to the delegations listed in the document, the following countries have become sponsors of draft resolution A/76/L.74: Armenia, Azerbaijan, Belarus, Bolivia, Fiji, the Islamic Republic of Iran, Lebanon, Morocco, Nicaragua, the Philippines, the Russian Federation and the Bolivarian Republic of Venezuela.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/76/L.74?

Draft resolution A/76/L.74 was adopted (resolution 76/299).

The Acting President: I now give the floor to the representative of the United States of America, who wishes to speak in explanation of position on the resolution just adopted.

Mr. DeLaurentis (United States of America): The United States congratulates Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on the adoption of resolution 76/299, which declares Central Asia a zone of peace, trust and cooperation.

The intention to establish a region as a zone of peace creates a foundation for greater cooperation among their Governments that can reinforce the interrelated pillars of peaceful and prosperous society, sustainable development, peace and security, human rights and the rule of law. Their commitment to the principles of preventive diplomacy will not only help strengthen the security of the States in the region but is also vital to maintaining international peace and security.

We are disappointed that some delegations fought vigorously against the inclusion of language in the resolution reaffirming the mutually reinforcing relationship between human rights and the rule of law

and peacebuilding and sustaining peace. The concept that regions and countries must respect human rights for all and adhere to the rule of law in order to flourish is enshrined in the very Preamble of the Charter of the United Nations. It is our responsibility, as the General Assembly, to continuously reaffirm our commitment to those principles.

Nevertheless, we thank Turkmenistan for its tireless pursuit of consensus among the members of the Assembly on the various elements of the text of the resolution. We appreciate Turkmenistan’s extensive consultations with Member States on the text and applaud its efforts.

We are delighted about the resolution’s acknowledgement of the critical role that women play in the promotion of peace, security and sustainable development. Let us not forget that women should always actively participate in policy leadership, development and implementation. Their involvement in the peaceful settlement of disputes, conflict prevention and conflict resolution and at all levels of decision-making will ensure that we are able to move quickly and comprehensively address the challenges we all face.

The Acting President: We have heard the only speaker in explanation of position on the resolution just adopted.

The General Assembly has thus concluded this stage of its consideration of agenda item 66.

Agenda item 7 (continued)

Organization of work, adoption of the agenda and allocation of items

The Acting President: Members will recall that the General Assembly concluded its consideration of sub-item (b) of agenda item 74 at its 93rd plenary meeting, on 11 July 2022. In order for the Assembly to take action on the draft resolution before it, it will be necessary to reopen consideration of sub-item (b) of agenda item 74.

May take it that it is the wish of the General Assembly to reopen consideration of sub-item (b) of agenda item 74?

It was so decided (decision 76/506B).

Agenda item 74 (continued)**Promotion and protection of human rights****(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms****Draft resolution A/76/L.75**

The Acting President: I now give the floor to the representative of Costa Rica to introduce draft resolution A/76/L.75.

Ms. Chan Valverde (Costa Rica): On behalf of the Maldives, Morocco, Slovenia, Switzerland and my own country, Costa Rica, it is my honour to introduce draft resolution A/76/L.75, entitled “The human right to a clean, healthy and sustainable environment”.

At the outset, we want to thank the more than 100 Member States from all regions that co-sponsored the text. We acknowledge the presence of all delegations at a historic moment for human rights and the environment, as well as for the United Nations and the multilateral system. The adoption of the draft resolution will represent the culmination of a long history that is both overdue and timely.

This year, we commemorate the fiftieth anniversary of the Stockholm Declaration and Action Plan for the Human Environment, whereby we established for the first time our common conviction that human beings have a fundamental right to an environment of a quality that permits a life of dignity and well-being. Since then, that right has developed — both at the national and regional levels — with the recognition of that right by a vast majority of Member States, as well as its establishment in regional human rights instruments worldwide.

The call to establish the right to a healthy environment has grown ever-stronger over the past 20 years at the international level. Our countries initiated a process in 2011 at the Human Rights Council to establish linkages between human rights and the environment. Among other outcome, that process led to the creation of the mandate of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, progressively clarifying how a clean, healthy and sustainable environment is an integral part to full enjoyment of all human rights and that everyone,

everywhere, is entitled to all human rights without distinctions of any kind.

That is why the universal recognition of the right to a clean, healthy and sustainable environment is so timely. In October 2021, the Human Rights Council adopted resolution 48/13, recognizing the right to a clean, healthy and sustainable environment as a human right, with four abstentions and without opposition. With universal recognition in mind, our countries submitted a draft resolution to Member States in New York. We conducted a process of open, inclusive and transparent consultations, delivering an outcome that speaks on behalf of and to all of us and reflecting the urgent need to culminate universal recognition of that human right by the General Assembly.

The co-presenters of the draft resolution opted for a technical approach to the text, with a focus on recognition of the right, building on Human Rights Council resolution 48/13. We are of the view that the final text presented today, which has received the sponsorship of more than 100 delegations so far, is a strong, well-balanced text that links human rights, environment and development language.

The world is facing an unprecedented triple environmental crisis, including increasing catastrophic climate change, biodiversity loss and pollution. In recent years, we have continued to witness rising temperatures, rising sea levels, heat waves, wildfires and floods, which have wreaked havoc on countries in all regions. That global crisis is all-consuming and has immense impacts on the realization of all human rights, not least the rights to health, food, water and adequate housing.

The United Nations High Commissioner for Human Rights, Michelle Bachelet, has warned that the world has never seen a human rights threat of this scope. That is true for every country, whether developing or developed, but is particularly impactful on the poorest, most vulnerable and most marginalized. Air pollution causes 13 deaths per minute worldwide, while 9 out of every 10 children are exposed to deadly air pollution. Climate change is forcing the displacement of 20 million people annually. Four environmental rights defenders are killed every week for defending the right to a healthy environment, while the decline of nature and biodiversity is threatening the cultural identity of our societies, including indigenous peoples and local communities.

Yet, despite that gloom, we see hope. We have seen an unprecedented number of conferences and meetings on the theme of the environment this year. That discussion has begun to build mutual understanding of the scale of the threat we face, but also the solutions we need.

Building on the message of the President of the General Assembly — a message of hope — and in the face of those global, environmental and human rights crises, the universal recognition of the human right to a clean, healthy and sustainable environment provides a powerful and effective response that we hope will catalyse transformative changes in our societies. That includes generating a paradigm shift towards what our relationship to the environment and ecosystems should be, truly placing human well-being and the enjoyment of all human rights and a healthy planet at the centre of our aims for the prosperity of all.

For the majority of States that have already recognized that right, its universal recognition contributes to improving environmental outcomes and increasing the enjoyment of human rights. For those that have not, it could present a starting point for constitutional changes or changes to environmental laws in recognition of that right. The draft resolution will also contribute to enhancing and integrating the United Nations response to the triple environmental crisis, as well as to supporting Member States more coherently and effectively in fulfilling their human rights obligations related to environmental matters and scaling up efforts to guarantee a clean, healthy and sustainable environment for all.

In 2023, we will commemorate the seventy-fifth anniversary of the Universal Declaration of Human Rights — a major achievement for humankind and human dignity. At this historic moment today, we have a unique opportunity to set a new “common standard of achievement for humanity”, as Eleanor Roosevelt said, by further strengthening international human rights law with the universal recognition of the human right to a healthy environment.

The significance of this moment is paramount. With the political will and leadership of the international community to place human well-being and the human rights of present and future generations at the centre of our concerns, we build trust and hope among all people, including women, young people, children and especially the most vulnerable. They are calling for answers

and, above all, for action from decision-makers. We can demonstrate to the world that the United Nations remains valid and able to deliver in the face of the current challenges that can only be overcome together. It is high time to recognize the right to a clean, healthy and sustainable environment as a human right.

To conclude, we call on all States Members of the United Nations to support draft resolution A/76/L.75 and rally behind this historic moment. Let us take this step forward into a future that we know is possible, because we have been working towards it for over 50 years since Stockholm: to defend and improve the environment for present and future generations as an imperative goal of all humankind — a goal to be pursued together and in harmony with the established and fundamental goals of peace and worldwide economic and social development.

The Acting President: We shall now proceed to consider draft resolution A/76/L.75.

Before giving the floor to those representatives who wish to speak in explanation of vote before the voting, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): I would like to begin by thanking the delegations of Slovenia, Switzerland, Costa Rica, the Maldives and Morocco, the main sponsors of draft resolution A/76/L.75, on the human right to a clean, healthy and sustainable environment, for their openness and constructive approach in negotiating the document. I especially thank the representative of Costa Rica for her heartfelt introduction of the draft resolution.

The Russian Federation attaches great importance to the issue of environmental protection and is paying increasing attention to it at both the national and international levels. The subject matter of the draft resolution encompasses two branches of law — international human rights law and international environmental law. However, neither universal environmental agreements nor international human rights treaties address such concepts as a clean environment, a healthy environment and sustainable environment, or a concept similar to them. The wording of existing international legal instruments varies significantly.

The legal terminology for such concepts today is being developed at the national level. Based on

its own specific situation and circumstances, every country is establishing its own norms. In that regard, asserting the right to a clean, healthy and sustainable environment without first defining at least minimum universal norms would be premature. Furthermore, we are convinced that the new right can be recognized only within the framework of international treaties that have been carefully prepared by competent experts and subsequently adopted by States. Only then will we be able to speak of a right that is legally recognized by States.

The method chosen by the sponsors — to recognize the right through the adoption of a draft resolution — is at the very least legally questionable and could subsequently have negative consequences. Therefore, the Russian Federation is unable to support draft resolution A/76/L.75 and calls for a recorded vote. However, as it acknowledges the importance of the issue in general, the Russian delegation will not vote against the draft resolution but will abstain in the voting.

Mr. Parga Cintra (Brazil): The Brazilian Constitution provides for the right to an ecologically balanced environment, which is indispensable to the achievement of a healthy quality of life. As such, Brazil supports the universal recognition of the right to a clean, healthy and sustainable environment. A healthy quality of life is intrinsically related not only to the environmental dimension of sustainable development but also to its social and economic dimensions.

We are therefore convinced that the General Assembly should ensure that the international human right to a clean, healthy and sustainable environment is consistent with both the rights and principles expressed and codified in international human rights law and environmental declarations and conventions, including their financial commitments, so that no one is left behind. That was our approach to the negotiations on draft resolution A/76/L.75.

For Brazil, the recognition of an international human right to a healthy and sustainable environment can be a positive incentive to national efforts and can contribute effectively to the protection and promotion of human rights and the environment, as well as to the implementation of existing frameworks on human rights and the environment.

However, establishing such a right will achieve that purpose only if it is consistent with the obligations and commitments contained in international environmental

agreements, including respect for every State's permanent sovereignty over their natural resources, as recognized in the Stockholm Declaration and the Rio Declaration on Environment and Development, as well as the right to self-determination of all peoples regarding their natural wealth and resources, as enshrined in article 2 of the International Covenant on Economic, Social and Cultural Rights. We thank the core group for its willingness to accommodate some of Brazil's concerns in that regard, which is why we will vote in favour of the draft resolution.

Nevertheless, we regret that the core group was unable to conduct the negotiating process in a way that allowed for greater debate on this important issue, so that a true and meaningful consensus could actually be achieved. We also regret that the final text does not incorporate a clear reaffirmation of both the principle of the sovereignty of States, while taking into account national priorities, and the principle of common but differentiated responsibilities, which is a cross-cutting principle of international environmental law. We are also disappointed that the text lacks strong language on the provision of the financial resources, capacity-building and technology transfer necessary for developing countries to implement in good faith the right recognized in the draft resolution.

In reaffirming its utmost commitment to the promotion and protection of human rights, Brazil will continue to take steps to safeguard the right to a clean, healthy and sustainable environment, including with a view to achieving the Sustainable Development Goals and fighting extreme poverty.

Mr. Akram (Pakistan): I would like to briefly explain the position of my delegation on draft resolution A/76/L.75, on the right to a healthy environment. We thank Costa Rica and the main sponsors of the draft resolution for introducing this important initiative, as well as for their openness to listen to and engage with delegations.

We support the right to a clean, healthy and sustainable environment. Pakistan's Constitution and our domestic policies recognize the protection and promotion of the right to a healthy environment as fundamental to the exercise of the basic rights to life and health. We are also fully supportive of global efforts to protect the environment and proactively safeguard the basic human rights of those who are vulnerable to environmental degradation.

As the text of the draft resolution has gone through various stages of development, three aspects of the initiative need to be highlighted.

First, with regard to the process, we agree that any new human right can be legally recognized only through the negotiation of a convention at the relevant intergovernmental forum or forums, which in this case are the relevant forums on climate change and the environment. As of now, the right to a clean, healthy and sustainable environment and the corresponding State obligations have not been legally established by the existing international human rights instruments. Therefore, we believe that the draft resolution is a political resolution and not a legal affirmation by the General Assembly of the right to a clean, healthy and sustainable environment. We consider the status of that right to be similar to that contained in the declaration on the right to development, adopted in 1986 by the General Assembly in resolution 41/128. We will continue to work for the legal acceptance of the right to development in all the relevant forums.

Secondly, on substance, it is clear that the impacts of climate change have been greatest on those who are least responsible for the degradation of the global environment. There are certain elements in the draft resolution that should have stayed in the resolution, including the principle of common but differentiated responsibilities and the responsibility for financing from developed countries to support developing countries in improving the environment. The concept of common but differentiated responsibilities, as enshrined in principle 7 of the Rio Declaration on Environment and Development at the first United Nations Conference on Environment and Development, in 1992, is an accepted principle and should have been reflected. In the light of States' unequal contribution to global environmental degradation, they have common but differentiated responsibilities. Developed countries should acknowledge the responsibility they bear in the international pursuit of sustainable development, in view of the pressures their societies have placed on the global environment, and the need for technological and financial support for developing countries.

Thirdly, we believed that the draft resolution could have been strengthened further by elaborating the mutually reinforcing linkage between the right to a healthy environment and the enjoyment and realization of economic, social and cultural rights and the right to development, as well as by highlighting

the particular situation of developing countries and those countries that have been most adversely affected by climate change. Pakistan will vote in favour of draft resolution A/76/L.75 because we did so in the Human Rights Council. We do so in the hope that the political affirmation of the right to a clean, healthy and sustainable environment will further galvanize our individual and collective efforts to effectively address the ongoing environmental degradation and its negative impacts on the realization of basic human rights.

It is in that spirit that we will vote in favour of the draft resolution.

Ms. Ershadi (Islamic Republic of Iran): I would like to make the following statement in explanation of vote before the voting on draft resolution A/76/L.75, entitled "The human right to a clean, healthy and sustainable environment".

I also commend Costa Rica, Morocco, Switzerland, Slovenia and the Maldives for leading this important process.

My delegation actively and constructively engaged in the relevant negotiations process from the beginning. We therefore expected a balanced text that would take into consideration our concerns and reservations. Unfortunately, this draft resolution tries to impose additional burdens of environmental commitments on the shoulders of developing countries and references a human right that lacks a clear definition and understanding among States and does not appear in the core international human rights treaties.

Besides, we have witnessed that references to unilateral coercive measures are lacking in the text, even though such inhumane measures, purposely attuned to take the heaviest toll on innocent children, women and men, impede the enjoyment of human rights in a clean, healthy and sustainable environment.

In that regard, my delegation would like to emphasize that what was needed was a balanced approach in order to meet the concerns of certain States, including developing countries, as well as the inclusion of a paragraph on the sovereign rights of States and one on the principle of common but differentiated responsibilities, as set out in the Rio Declaration on Environment and Development.

We reiterate that, unless we address the barriers to, and means of, implementation within the Sustainable Development Goals framework and the right to

development, we have not appropriately taken into consideration the concerns of certain countries. In that regard, we would also like to flag that the language incorporated in the draft resolution on human rights issues should be adjusted and reflected in a balanced and consensual text.

Consequently, we would like to reiterate that the content of this draft resolution should be interpreted in a manner consistent with the national legislation and development priorities of countries, as well as their cultural and ethical values and religious backgrounds and in line with internationally recognized human rights.

My delegation will therefore abstain in the voting on this draft resolution.

Mr. Morales Dávila (Nicaragua) (*spoke in Spanish*): Our delegation wishes to take the floor in explanation of vote on draft resolution A/76/L.75, entitled “The human right to a clean, healthy and sustainable environment”.

Nicaragua reiterates its principled position on the importance of promoting the right to development as a human and inalienable right of peoples, and we highlight the equitable principle of common but differentiated responsibilities and the urgent need for ambitious climate actions that will enable us to limit the global temperature rise to 1.5° Celsius.

The absence of measures and actions continues, and the devastating damage to Mother Earth is increasing. It is concerning that emissions from developed countries continue to climb and countries are not doing enough to reduce them, thereby increasingly impacting developing countries in particular, which are the least responsible for the anthropogenic effects that precipitate climate change.

Unfortunately, the text presented does not include a reference to the historical responsibilities of developed countries and the need for them to take the lead in changing current production and consumption patterns. We believe that, in order to have a human right to a clean, healthy and sustainable environment, we must first eradicate poverty and hunger. For that, it is essential that developed countries fulfil their commitments to official development assistance, technology-transfer and capacity-building.

Nicaragua recognizes the inherent rights of our Mother Earth and considers that now, more than ever, we must unite to protect the ecosystems that provide life

itself in order to ensure the existence of humankind and of all species. Mother Earth demands that we consider the happiness of present and future generations in order to achieve this harmony.

We share the concern of some delegations that there is no clear definition of the concept of a human right to a clean, healthy and sustainable environment. Instead, we recognize that there are different approaches, visions, models and tools available for each country in that regard. Each country has the right to define that concept according to its circumstances, priorities and respective national legislation. Moreover, we believe that an intergovernmental process should be initiated to reach agreement on such a definition.

Likewise, we regret that relevant contributions from some Member States have not been included. We recall that, if we are to achieve vital harmony with nature, we must tackle these multiple challenges with inclusiveness, commitment, cooperation and solidarity.

The Government of Reconciliation and National Unity is implementing its own model of sustainable development in harmony with nature as part of the restitution of the rights of all Nicaraguans.

Mr. Pary Rodríguez (Plurinational State of Bolivia) (*spoke in Spanish*): At the outset, I thank the delegations of Costa Rica, the Maldives, Morocco, Switzerland and Slovenia for driving the negotiations on draft resolution A/76/L.75, on the human right to a clean, healthy and sustainable environment. Since it is becoming increasingly clear that we are in the midst of a systemic crisis, ensuring that harmony with Mother Earth is restored requires deepening and expanding rights-based approaches for the benefit of current and future generations.

Bolivia’s constitutional development explicitly recognizes the right to a healthy, protected and balanced environment. Likewise, our Constitution is unique in recognizing that the exercise of that right should allow individuals and collectivities of present and future generations, as well as other living beings, to develop in a normal and permanent manner. In other words, Bolivia is a pioneer in considering the right to a clean, healthy and sustainable environment as an individual and collective right with a scope that extends beyond human beings.

We believe this draft resolution to be an important starting point to initiate the discussion and

implementation of innovative policies that, beyond passively protecting that right, would guarantee it through the fair and equitable distribution of responsibilities and benefits derived from nature. In that connection, it is also vitally important to provide developing countries the means to ensure a transition that enables them to exercise their right to a clean, healthy and sustainable development.

My delegation will vote in favour of the draft resolution and urges all States to continue working and listening to each other in search of consensus that will help restore harmony with the rest of Mother Earth with equity and justice.

Ms. Ali (Syrian Arab Republic): My delegation would like to thank the core group — Costa Rica, Maldives, Morocco, Slovenia and Switzerland for presenting draft resolution A/76/L.75, entitled “The human right to a clean, healthy and sustainable environment”.

Allow me to explain my country’s position on this draft resolution before taking action on it.

My delegation is of the firm belief that all human beings deserve to live in a clean, healthy and sustainable environment. No efforts should be spared to that end.

My country is no stranger to the adverse impacts of climate change, environmental degradation and non-sustainable development on the environment, and hence attaches great importance to issues related to environmental protection and participates actively in relevant discussions in specialized international forums.

Throughout the process, my delegation actively and in good faith engaged with the facilitators and made sure to send concise and constructive comments on the text, aimed at strengthening it. Right from the beginning, we were of the belief that the draft resolution at hand was not only of a humanitarian nature, but also involved development and technical aspects.

The world has already warmed to dangerous levels. Heat waves, wildfires, droughts and severe storms have become more common. Developing countries are more susceptible to the dire impacts of those phenomena on the enjoyment of a clean, safe and sustainable environment and are less able to confront it properly.

We therefore saw the merit in highlighting the development needs and priorities of developing countries and the principle of common but differentiated

responsibilities. We have also added some language on capacity-building and technology-transfer.

We regret that our legitimate concerns were not addressed and reflected in the text. However, in view of the importance of the topic as a whole, the Syrian Arab Republic will not vote against the draft resolution, but rather abstain in the voting.

The Acting President: We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolution A/76/L.75, entitled “The human right to a clean, healthy and sustainable environment”.

I now give the floor to the representative of the Secretariat.

Ms. Herity (Department for General Assembly and Conference Management): I should like to announce that, since the submission of draft resolution A/76/L.75, and in addition to the delegations listed in that document, the following countries have become sponsors of the draft resolution: Albania, Argentina, Austria, Barbados, Belgium, Belize, Benin, Bolivia, Botswana, Chad, Côte d’Ivoire, the Democratic Republic of the Congo, Denmark, El Salvador, Eritrea, Estonia, Eswatini, the Gambia, Ghana, Guyana, Haiti, Hungary, Iceland, Ireland, Italy, Lesotho, Libya, Liechtenstein, Lithuania, Madagascar, Malaysia, Mauritania, Mexico, Mongolia, Mozambique, Namibia, the Niger, Papua New Guinea, Paraguay, the Philippines, the Republic of Moldova, Saint Vincent and the Grenadines, San Marino, Seychelles, Singapore, South Africa, South Sudan, Suriname, Sweden, Timor-Leste, Tunisia, Tuvalu, Uganda, the United Republic of Tanzania and Zambia.

The Acting President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d’Ivoire,

Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Belarus, Cambodia, China, Ethiopia, Iran (Islamic Republic of), Kyrgyzstan, Russian Federation, Syrian Arab Republic

Draft resolution A/76/L.75 was adopted by 161 votes to none, with 8 abstentions (resolution 76/300).

[Subsequently, the delegations of Kyrgyzstan, Saint Kitts and Nevis and Seychelles informed the Secretariat that they had intended to vote in favour.]

The Acting President: Before giving the floor to speakers in explanation of vote after the voting, I would like to remind delegations that explanations are limited to 10 minutes and should be made by representatives from their seats.

Mr. Reed (United Kingdom): We welcome the opportunity to discuss resolution 76/300 and make our national position clear in the negotiations.

The United Kingdom has a strong commitment on taking ambitious action to tackle climate change, biodiversity loss and environmental degradation. We were proud to host the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change (COP26) in Glasgow, where all 197 parties agreed to the Glasgow Climate Pact. At COP26, nature also moved from the margins of the debate on climate change to the very heart of it. We will continue strong United Kingdom leadership and engagement on climate change and on nature to make sure that promises are kept and delivered to the highest standards, working with all partners to maintain momentum.

The United Kingdom is concerned that environmental degradation can have implications for the full enjoyment of human rights. In some circumstances, it can pose a risk to the lives and well-being of individuals and communities. We continue to call on States to promote their human rights obligations while taking action to combat climate change and biodiversity loss and environmental degradation.

However, the recognition of that right in the resolution is without due regard to the usual formation of international human rights law and without prejudice to the United Kingdom's legal position. There is no international consensus on the legal basis of the human right to a clean, healthy and sustainable environment, and we do not believe that it has yet emerged as a customary right.

Recognizing rights without due consideration and a common understanding at an international level of what those rights comprise creates ambiguity — individuals cannot know what they can legitimately claim from the State and the State has no clear understanding of the protection it is obliged to afford to the individual.

We regret that, despite our constructive approach to negotiations, this resolution has no reference to important related issues. In particular, it fails to acknowledge the role of human rights defenders working on environmental issues or the need for a deeper discussion on this right.

Nonetheless, we want to make three points on our vote today. First, General Assembly resolutions are not legally binding. Secondly, the recognition of the right

in this resolution does not, therefore, legally bind States to its terms. Thirdly, our understanding is that the right to a clean, healthy and sustainable environment derives from existing international economic and social rights law as a component of the right to an adequate standard of living or the right to the enjoyment of the highest attainable standard of physical and mental health. As this resolution states in paragraph 2, this right is “related to other rights and existing international law”.

The United Kingdom acknowledges that this is an issue of deep concern to all of us, and it is on this basis that we voted in favour of the resolution today.

Ms. DaCosta (Jamaica): I have the honour to deliver this statement in explanation of vote on behalf of the delegation of Jamaica.

We thank the co-facilitators of the text for their efforts in the negotiation process towards the adoption of resolution 76/300, entitled “The human right to a clean, healthy and sustainable environment”.

Article 13 (3) (1) of the Jamaican Constitution recognizes the right of every citizen

“to enjoy a healthy and productive environment free from the threat of injury or damage from environmental abuse and degradation of the ecological heritage”.

Therefore, the Jamaican delegation is able to support this resolution in principle, in recognition of the confirmation of the right to a clean, healthy and sustainable environment as a human right. Accordingly, Jamaica has voted in favour of the resolution.

As a small island developing State that continues to face unique environmental vulnerabilities that threaten socioeconomic development and sustainability, Jamaica is a fervent advocate within the context of the United Nations and other multilateral forums on issues of climate change, the depletion of natural resources, environmental degradation and biodiversity loss.

The Government of Jamaica firmly believes that the only successful way to address complex and multifaceted global challenges such as these is through multilateral cooperation where all nations — big and small — come together to agree on solutions for the way forward. This strong preference for solutions and language that have been agreed by the General Assembly, where all States are represented and considered equal, is at the heart

of the reason that Jamaica broke silence on the text, despite our support for the resolution in principle.

We maintain the view that references such as “the unsustainable management and use of natural resources” and “unsustainable development” in the ninth and thirteenth preambular paragraphs, respectively, are not terminologies agreed by the General Assembly. Indeed, precedent in the General Assembly shows agreement with the use of the term “unsustainable” in the context of debt levels or in relation to patterns of consumption and production.

The use of the term “unsustainable” in a way that is not universally agreed in the context of this resolution allows for subjective interpretation. As such, it ultimately undermines global efforts to solve the challenges and impediments to sustainable development coherently and cohesively, as we cannot move forward effectively if we do not move forward together.

Jamaica is also of the view that this text could have benefited from the inclusion of relevant references to the international meeting entitled “Stockholm+50: a healthy planet for the prosperity of all — our responsibility, our opportunity” and the ministerial declaration adopted at the fifth session of the United Nations Environment Assembly — both recent multilateral meetings that dealt with the matter of a healthy planet for all and actions for nature, respectively.

We take this opportunity to reaffirm Jamaica’s support for the fundamental principles captured in this resolution. We reiterate our commitment to continuing our advocacy in alignment with those positions.

Ms. Wallenius (Canada): Canada recognizes the threats that we are facing globally and is taking ambitious action on climate change and the environment for our collective health and well-being and in order to build a healthier and more sustainable world.

Canada joins many States today in supporting resolution 76/300, on the right to a clean, healthy and sustainable environment. Canada is supportive of the international momentum to highlight the connection between a healthy environment and the enjoyment of human rights.

At the international level, Canada has been a strong voice for the respect, promotion and fulfilment of human rights and advocates the protection of the environment. Canada recognizes that environmental degradation can negatively impact human rights and

that States have human rights obligations related to the environment. We note that there is currently no common or internationally agreed understanding of the content and scope of the right to a clean, healthy and sustainable environment.

Canada looks forward to working with others and exchanging information in order to support due consideration of what such a right may comprise and what it may entail within the international human rights framework.

Mr. Yamaguchi (Japan): Japan would like to express its gratitude to the members of the core group for their efforts in engaging in the consultations in a transparent and inclusive manner. As expressed by many delegations, including ours, throughout the consultations, my delegation engaged constructively in the consultation process with due regard to the aspiration expressed by the core group and other delegations of sending a political message.

Against that backdrop, and after very careful consideration, including the understanding that the effects of climate change have become increasingly severe in recent years and, in the light of the need to create a sustainable environment, which is the aim of this resolution, Japan voted in favour today of resolution 76/300.

In our view, however, the right to a safe green, healthy and sustainable environment referred to in this resolution has the potential to be extremely broad in scope and has yet to be clearly defined. We also do not believe that the resolution alters the content of existing international law.

Japan would also like to join the previous speaker concerning our regret that the text adopted fails to include important elements, such as on the law regarding human rights defenders working on environmental issues, expressed by many delegations during the consultations, including Japan.

Mrs. Mozgovaya (Belarus) (*spoke in Russian*): The Constitution of the Republic of Belarus enshrines the right of everyone to a favourable environment and to compensation for damage caused by violation of that right. The constant and timely improvement of environmental protection legislation, aimed at ensuring the environmental safety of the State, contributes to the exercise of that constitutional right of citizens.

We are grateful to the sponsors of resolution 76/300 for drawing the General Assembly's attention to the ever-more pressing issues of environmental protection. At the same time, given the content of paragraph 1 of the resolution's operative part, Belarus had to abstain in the voting. We are convinced that the identification and recognition of a separate category of human rights can be achieved only by drawing up a universal legally binding instrument.

Given the occasion and the theme of the resolution under consideration, we would like to take this opportunity to draw the General Assembly's attention to the environmental and legal aspects of the developing situation around the construction by Poland of barriers along the Belarusian-Polish border, including within the Belovezhskaya Pushcha World Heritage site.

The creation of an artificial barrier on the territory of the cross-border site is causing irreparable damage to the ecosystem of the entire European region and represents a serious threat to biodiversity conservation. Repeated appeals by Belarus to the Polish authorities have been unsuccessful. We once again call on Poland to return to compliance with its international legal obligations, dismantle the barrier already in place and promptly launch an adequate process to remedy the damage caused to the ecosystem of Belovezhskaya Pushcha.

Ms. Buist-Catherwood (New Zealand): I thank the core group for the work on resolution 76/300. New Zealand is strongly committed to international human rights and international environmental issues and recognizes that there are clear linkages between the two. Without a clean, healthy and sustainable environment, many human rights cannot be realized.

New Zealand acknowledges the importance of taking a human rights-based approach in response to important environmental issues, such as climate change, ensuring that the most vulnerable and affected groups, such as women, children and persons with disabilities, have a voice. We need to pay particular attention to indigenous peoples, while recognizing their special relationship with the environment, our responsibility to consult with them and the benefits that indigenous perspectives can bring to us all. It is important to hear perspectives from indigenous peoples on the framing of the proposed human right and how that would operate in the context of the United Nations Declaration on the Rights of Indigenous Peoples and, in

the case of New Zealand, our founding document, the Treaty of Waitangi.

Given the tight time frames involved, New Zealand has not had the time to consult with the Maori people on the proposed scope, nature and recognition of this new right. What we know is that many Maoris connect to the environment through genealogy and kinship links and take the perspective that that engenders responsibilities to care of the environment. It is a reciprocal relationship: the environment does not exist for the exclusive sake of people and their enjoyment.

At the same time, any right to a clean, healthy and sustainable environment is separate to the recognition of certain rights of nature, as was acknowledged in New Zealand and elsewhere. While we recognize the urgency of environmental issues and human rights, we also express concern over the manner in which this new proposed right has emerged in the United Nations system. That process should not be seen as a substitute for the development of international law. If a new right to a clean, healthy and sustainable environment is to be recognized under international human rights law in the future, it would need to go through a treaty negotiation process so that States can develop a common understanding. We see this process as an anomaly and advocate that, in future, new human rights should not come to the General Assembly in this way. However, we stand ready to work with others to do further work on the scope of the proposed new right and the obligations that it might entail to develop a common understanding and try and reach consensus on an appropriate process going forward.

New Zealand also wants to take this opportunity to be clear that the right to a clean, healthy and sustainable environment does not have a legally binding character. It has not been agreed in a treaty, and this resolution does not state a role of customary international law or provide evidence of a new norm of customary international law. We are also disappointed that the important role of human rights defenders is not included in the resolution. The rights, including the rights to life, liberty and security of human rights defenders working in environmental matters, referred to as environmental human rights defenders, must be respected.

Lastly, we consider that this resolution has the character of a political declaration and does not create international human rights law or new legally binding obligations on States.

Ms. Dale (Norway): Today the General Assembly adopted resolution 76/300, which confirms the numerous linkages that exist between human rights and the environment and politically recognizes the right to a clean, healthy and sustainable environment. It sends a strong political signal to all States to step up efforts to protect the environment, reduce emissions and choose sustainable solutions, and, in doing so, ensuring that human rights are protected and promoted.

A clean, healthy and sustainable environment is the foundation of human life, and the protection of the environment is a necessary precondition for the enjoyment of human rights for present and future generations.

This resolution sends a strong and important message regarding the necessity of a clean, healthy and sustainable environment for the enjoyment of existing human rights. It is Norway's view that the political recognition through this resolution does not have any legal effects, and it therefore cannot be used as a legal argument.

We regret that some important elements did not make it into the final version of the text. Human rights defenders, including environmental human rights defenders, play a crucial role in the promotion and protection of human rights as they relate to the enjoyment of a clean, healthy and sustainable environment. Recognizing the important and legitimate work that human rights defenders do is highly relevant in the context of this resolution. We regret that that has not been reflected in the text, as it was in Human Rights Council resolution 48/13, on which this resolution is based. We would also have liked to see a reference to the future discussions that the right to a clean, healthy and sustainable environment warrants.

Despite a rushed process and the fact that there are important elements missing in the text, Norway voted in favour of this resolution today. It is important that we stand together to protect and promote human rights, including in our efforts to combat climate change and environmental degradation, which amplify conflicts and force people all over the world into increasingly vulnerable situations.

Mr. Heartney (United States of America): The United States has long recognized the relationship between human rights and environmental protection and advancing environmental justice. We have a history of promoting environmental protection, and we believe

that every person should live in a healthy environment. We also believe that a healthy environment supports the well-being and dignity of people around the world and the full enjoyment of all human rights. We support resolution 76/300, as it sets forth those moral and political aspirations. We regret the loss of important human rights language throughout the process, including non-controversial accepted language on human rights defenders.

Together, we must protect the environment, address the climate crisis, stop attacks on environmental defenders around the world and promote accountability for human rights violations and abuses affecting those defenders. That is a priority for the United States, as well as many of our partners around the globe, and that led us to vote in favour of the resolution.

The United States supports the development of the right to a clean, healthy and sustainable environment in a manner that is consistent with international human rights law. It is important to establish a common understanding of the right so that States have clarity as to its scope, as there is not yet a shared view of the basis of the right or of its scope. The United States looks forward to working with other States to exchange views in order to further develop understanding in that regard.

However, the right to a clean, healthy and sustainable environment has not yet been established as a matter of customary international law; treaty law does not provide for such a right; and there is no legal relationship between such a right and existing international law. In voting in favour of the resolution, the United States does not recognize any change in the current state of conventional or customary international law.

We note our concerns over paragraph 3 of the resolution, which creates confusion about such a right by conflating the contents of multilateral environmental agreements with human rights law and mischaracterizing aspects of the implementation of multilateral environmental agreements.

We hope that this resolution will galvanize further action to protect the environment and the human rights of all individuals affected by environmental degradation.

The United States will provide a more fulsome explanation of vote, to be published on the website of the Permanent Mission of the United States to the United

Nations and in *The Digest of United States Practice in International Law*.

Mr. Sharma (India): India attaches great importance to the promotion and protection of human rights, including in the field of the environment. Environmental protection is a part of our cultural values. Our traditions have long stressed the importance of living in harmony with nature.

At the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Glasgow in 2021, the Prime Minister of India, Shri Narendra Modi, proposed the one-word LIFE movement — a mass movement that influences lifestyle for the environment, promoting the mindful and deliberate utilization of resources, instead of mindless and destructive consumption.

India is making rapid strides towards inclusive and overall sustainable development. That is being done both at the national level and globally through international partnerships. India has worked with partners on significant global initiatives for environmental protection, which include a focus on One Sun, One World, One Grid, the International Solar Alliance, the Coalition for Disaster-Resilient Infrastructure and the Leadership Group for Industry Transition.

Throughout the negotiations on resolution 76/300, just adopted, we engaged actively and constructively with the aim of reaching a consensual outcome. While we appreciate the efforts and constructive approach of the core group — Costa Rica, Maldives, Morocco, Slovenia and Switzerland — we believe that more time for discussions could have helped in bridging differences and addressing the concerns of various delegations. We expressed our concerns over the resolution, in terms of both procedure and substance.

We believe that General Assembly resolutions do not, in themselves, create binding obligations. It is only through conventions and treaties that States parties commit to a new human right and undertake appropriate obligations for the realization of such a right.

Furthermore, there is no clear understanding and agreed definition of the terms “clean”, “healthy” and “sustainable”. Currently, those terms remain open to subjective interpretation, thereby diluting the very objective of the recognition proclaimed in the present resolution.

We regret that the text fails to contain a clear reference to the foundational principle of equity in international environmental law. We also remain concerned that, even after the strong support by many Member States for the inclusion of the eighth preambular paragraph of Human Rights Council resolution 48/13, which forms the basis of the current resolution, the decision was otherwise. It is an important paragraph, which reaffirms the importance of international cooperation on the basis of mutual respect, in full compliance with the purposes and principles of the Charter of the United Nations and with full respect for the sovereignty of States, while taking into account national priorities.

We expressed our concerns clearly and repeatedly and made constructive proposals to achieve common ground. We sincerely believe that some of those proposals could have helped in bringing us closer to a consensus.

India stands ready to support any effort for a better environment and to further international cooperation for environmental protection. In that context, India voted in favour of this resolution. However, given that our concerns remain outstanding, we are therefore constrained to dissociate ourselves from paragraph 1 of the resolution.

Mr. Gunaratna (Sri Lanka): Sri Lanka voted in favour of resolution 76/300, entitled “The human right to a clean, healthy and sustainable environment”. Sri Lanka agrees with the positive sentiment underlying the need to ensure a clean, healthy and sustainable environment in order to promote human well-being and the full enjoyment of human rights. The need to combat climate change and its resultant negative effects, such as desertification, biodiversity loss and the degradation of the environment, can also be ensured through the creation of a sustainable environment. It is a goal that the whole of humankind endeavours to achieve.

However, the obligation of the State to act in that regard is not a justiciable right, as decreed by our Constitution, but a directive principle of State policy, as prescribed in chapter VI, article 27, paragraph 14, which decrees that the State shall protect, preserve and improve the environment for the benefit of the community. That guiding principle is given life through the constitutional guarantee of the equal protection of the law, as enshrined in chapter III, article 12, paragraph 1, of the Constitution of the Republic, the National Environmental Acts and other statutory

enactments in force for the protection and sustenance of the environment. Successive Governments of Sri Lanka have made that a primary policy goal for institutional action. Accordingly, Sri Lanka’s obligations in that regard need to be construed within that legal framework.

Mrs. Abraham (Trinidad and Tobago): I have the honour to deliver this explanation of vote on resolution 76/300, entitled “The human right to a clean, healthy and sustainable environment”. My delegation expresses its deep appreciation to the main co-sponsors — Costa Rica, Maldives, Morocco, Slovenia and Switzerland — for bringing this very important resolution to the General Assembly for consideration. We would also like to congratulate the facilitators on their diligence and commitment throughout this process.

At the outset, Trinidad and Tobago recognizes the environment as a common thread, which supports all our sectors that contribute to social and economic development, and which must therefore be managed for the benefit of present and future generations. As such, our national development strategy Vision 2030 enshrines a healthy and clean environment as a critical pillar of our country’s development focus. The protection and wise use of our environment and economic growth are complementary, and every effort is made to ensure that Trinidad and Tobago’s sustainable socioeconomic potential is realized without jeopardizing the integrity, biodiversity or productivity of our environment.

For that reason, my delegation constructively engaged throughout the informal consultations with a view to reaching a consensual text that was balanced and reflected the views and positions of all Member States, in particular those that are not members of the Human Rights Council. However, we are disappointed that, during the consultative process, our proposal to include this very same reference to sovereignty, as contained in the eighth preambular paragraph of Human Rights Council resolution 48/13, was not accommodated despite there being a request for its inclusion by a number of Member States and the absence of a clear rationale by the main proponents for its exclusion in the zero draft and the final text. While we recognize and appreciate the attempts by the main proponents to engage on, and accommodate, some of the concerns raised by Member States, Trinidad and Tobago maintains that the inclusion of such language would have reflected one of the key pillars of the Charter of the United Nations, as the principle of sovereignty lies at the very heart of our international

community, as well as the 2030 Agenda for Sustainable Development, which recognizes national ownership as critical to leaving no one behind.

Notwithstanding that, Trinidad and Tobago's position on the resolution as a whole is guided by shared responsibility, as a member of the international community, to take action to build a sustainable society that engenders an attitude of environmental consciousness to tackle our collective environmental challenges.

For that reason, Trinidad and Tobago voted in favour of the resolution, recognizing that its overarching purpose reflects an endorsement of the decision of the Human Rights Council, as contained in this resolution, by the General Assembly.

Mr. Ben Naftaly (Israel): Israel thanks the core group for bringing resolution 76/300 to the General Assembly and for facilitating the negotiations.

Israel is deeply committed to ensuring a clean, healthy and sustainable environment for all and is proud to be at the forefront of advancing such efforts, from the preservation of biodiversity to the protection and rehabilitation of air, land and water resources. We joined a number of declarations and pledges on the environment, including the World Leaders Summit statement, the High Ambition Coalition for Nature and People, the Global Ocean's Alliance and the Leaders' Pledge for Nature. Other pledges that we joined specifically address forests, regional ecosystem conservation and the transition to renewable energy.

At the same time, Israel wishes to make it clear that its support for this resolution is without prejudice to its position as to the legal status, as a matter of international law, of the right referred to in the resolution, which must be based on well-established criteria for the identification and development of legal norms in the international system.

My Government and the Israeli public are acutely aware of the daunting challenges that we all face. Israel voted in favour of the resolution, and we will continue to push forward national and global agendas to mitigate and reverse the many challenges to our environment. We will do so with urgency, and we will help to ensure that all people have access to the benefits of the environment.

Mr. Shahin (Egypt) (*spoke in Arabic*): The delegation of Egypt extends its thanks to the core group

that submitted draft resolution A/76/L.75 (resolution 76/300), comprising Morocco, Switzerland, Slovenia, Costa Rica and Maldives, for their tireless efforts during the consultation process and for leading the process in an objective and transparent manner.

Egypt voted in favour of the resolution on the understanding that it does not create new rights or subcategories of rights that are not recognized, other than those contained in existing international and regional human rights conventions, in line with Egypt's obligations under the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the African Charter on Human and Peoples' Rights.

Egypt's vote in favour of the resolution is based on being keen to address issues with regard to maintaining a clean, healthy and sustainable environment, in all its dimensions, and accord it due attention given that all universal human rights are indivisible, interrelated and mutually reinforcing.

Ms. Skoczek (Poland): While aligning itself with the statement of the European Union, Poland would like to state its position regarding resolution 76/300, on the human right to a clean, healthy and sustainable environment.

Poland recognizes that living in a clean, healthy and sustainable environment has a direct and positive impact on the full enjoyment of human rights, such as the right to life and the right to health. Protecting human rights and the environment can certainly work in synergy, leading to the reinforcement of each other. Poland does not question the fact that certain aspects of environmental matters are already given protection under international law.

However, we have continuously recalled that the right to the environment as a human right does not find its recognition in any key human rights instruments, such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. Resolutions such as that adopted today, and Human Rights Council resolution 48/13, adopted on 8 October 2021, do not introduce any new legally binding obligations. Poland will consider both resolutions a strong political declaration and the aspiration of the international community to ensure a safe environment for every person. The potential legal implications, as well as the material scope, of this new right envisaged in the resolution remain to be

determined. We have already voiced our position on such an initiative in Geneva. We are confirming it now.

Despite the questions and concerns I mentioned, given that the protection and promotion of human rights, including in the environmental sphere, is a priority issue that our country strongly supports, Poland voted in favour of the resolution.

Ms. Xu Daizhu (China) (*spoke in Chinese*): Humankind and nature are a community of shared future. A good environment contributes to people's welfare in an inclusive manner. China attaches great importance to ecological and environmental protection and upholds the important principle that clear water and green mountains are our gold mountains. China firmly promotes green and low-carbon development and integrates carbon peaking and carbon neutrality into the overall economic and social development and ecological civilization building, thereby establishing the world's largest clean energy system.

In October 2021, the first phase of the fifteenth session of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, was successfully held Kunming, China. It concluded with the Kunming Declaration and announced the establishment of the Kunming Biodiversity Fund, among other things, serving as a strong boost to global biodiversity governance.

China promulgated its national human rights action plan 2021-2025, which includes a special section on environmental rights setting out specific targets on pollution prevention and control; the disclosure of ecological environmental information; public participation in environmental decision-making; public interest environmental litigation and eco-environmental damage compensation; ecological protection and restoration of national land space and addressing climate change, among other areas.

China actively participated in the consultations on resolution 76/300. We recognize the efforts made by the sponsors — Costa Rica, Maldives, Morocco, Slovenia and Switzerland — to promote the discussion of environmental issues and their interrelationship with the promotion and protection of human rights in the General Assembly. We thank the sponsors for organizing numerous consultations and communicating with Member States on specific texts.

At the same time, the results of the voting on today's resolution, once again shows that there is no agreement on the right to the environment, in particular with regard to the definition and scope of the right to the environment and its relationship with other human rights. The parties still need more time to engage in patient and in-depth dialogue and consultation to gradually enhance understanding, build consensus and prevent undue haste. In the area of global environmental governance, adherence to the principle of common but differentiated responsibilities is a concern shared by China and the majority of developing countries. China is deeply concerned that the principle is not included in the text of resolution 76/300.

For the reasons just mentioned, China abstained in the voting on the resolution. We look forward to better communicating with all parties on the issue of the right to a healthy environment in order to garner the broadest possible consensus, based on fully addressing the legitimate concerns of all parties. China will also continue to pursue with all parties the harmonious coexistence of humankind with nature and a more robust, greener and healthier global development.

The Acting President: We have heard the last speaker in explanation of vote after the voting.

We will now hear from those delegations that wish to make statements after the adoption of the resolution.

I give the floor to the representative of the European Union, in its capacity as observer.

Mr. Camelli (European Union): I have the honour to speak on behalf of the European Union (EU) and its member States.

The European Union welcomes the adoption of this important resolution (resolution 76/300) on the human right to a clean, healthy and sustainable environment, which is important for the enjoyment of all human rights. We would like to thank the core group for its significant initiative.

It is by now an established fact that climate change and biodiversity loss have substantial negative effects on the effective and full enjoyment of human rights, disproportionately affecting women and girls in diverse situations and conditions and those who are already in vulnerable situations, including indigenous people, children, older persons and persons with disabilities.

Some form of the right to a clean, healthy and sustainable environment is already enshrined in numerous national and regional instruments. However, more needs to be done to fully grasp the magnitude of those challenges and to translate that right into policies and actions that have human rights at their centre. The resolution just adopted lays the ground for such action.

We also underline the important role of human rights defenders who work on environmental matters and are referred to as “environmental human rights defenders”, and we would have liked to have seen the term included in the text.

The EU is committed to pursuing its role as a global leader in such efforts. We are substantially reducing our carbon emissions, and we remain the world’s largest provider of climate financing.

For the reasons just mentioned, the members of the European Union voted in favour of resolution 76/300.

The Acting President: Before giving the floor to speakers in exercise of the right of reply, may I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and five minutes for the second intervention and should be made by delegations from their seats.

Ms. Skoczek (Poland): In response to the unwarranted claims concerning the environmental situation on the Polish-Belarusian border made by the representative of Belarus, let me state the facts.

Let us be clear as to who the culprit is in that situation, which required the declaration of a state of emergency in the areas along the Polish border and the subsequent construction of the fence in question.

Last year, Lukashenko’s regime engineered a migration crisis on the European Union’s external border, pushed out several thousand migrants and left them stranded. That politically motivated crisis is the sole reason for the enhanced border protection along the Polish border, which is at the same time the external border of the European Union.

The environmental situation in border areas is being closely monitored by Polish environmental services. The fence currently being built on the Polish side of the border includes more than 20 large-animal crossings, as well as many smaller roads. Border rivers, waterways and marshes will not be fenced.

On other critical wildlife roads, a different border protection system will be used. The fence will be subject to continuous electronic monitoring by Poland, aimed at recording the behaviour of animals in order to allow, if necessary, for increasing the number of crossings.

Mrs. Mozgovaya (Belarus) (*spoke in Russian*): I would like to emphasize that the only regime that exists in Belarus is a visa-free travel regime. I request the representative of Poland to use respectful language when addressing the General Assembly. Poland’s actions on the border between Belarus and Poland are completely unjustified. There have been no migrants on that border for a long time.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 74?

It was so decided.

The meeting rose at noon.