



Our human right to a healthy environment - it's obvious isn't it?

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Environmental Rights Centre for Scotland www.ercs.scot

@ERCScot

Our vision is of a Scotland where every person's right to live in a healthy environment is fully realised

- Scotland's environmental problems & impacts
- The human right to a healthy environment
- Strengthening environmental rights
- ERCS's free legal advice



Scotland's 'substantive' environmental problems...

PLACE & PEOPLE

- Air, water & noise pollution
- Proximity to derelict land
- Poor local environmental quality
- Access to greenspace & nature
- Psycho-social impacts – health & wellbeing



- Children, elderly, people with health problems
- Vulnerability to severe weather events

DISTRIBUTIONAL ENVIRONMENTAL INJUSTICE



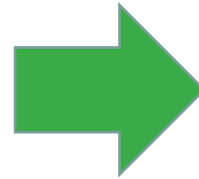
Access to 'procedures' for decision-making...holding public bodies to account

!! Marginalised groups +socio-economic disadvantage

!! Participation in local decision-making

!! Awareness of rights

!! Access to legal remedy – 'prohibitively expensive'



!! Poor enforcement of planning and nature conservation law

!! No credible threat of legal challenge

!! Environment & nature destruction

!! Climate emergency

PROCEDURAL ENVIRONMENTAL INJUSTICE

The human right to a healthy environment

Climate & nature emergency – a just and green post-Covid recovery...

Recommendation 2:

*Include the **right to a healthy environment** with **substantive and procedural elements** in the statutory framework*



The human right to a healthy environment

Substantive

The right to clean air, safe climate, access to safe water and adequate sanitation, healthy and sustainably produced food, non-toxic environments in which to live, work, study and play, and healthy biodiversity and ecosystems

Not yet part of Scots law

Procedural

- 1. Access to information*
- 2. Public participation*
- 3. Access to justice and effective remedies*

Not fully implemented in Scots law

ERCS Free legal advice – your rights for health and justice

<https://www.ercs.scot/get-advice/>

- Individuals, community groups and organisations to exercise existing rights
- Environmental law: land-use planning, climate change, pollution control, environmental health, nature conservation...
- Concerns – unwanted development, road building, greenspace, pollution?



Get free advice: <https://www.ercs.scot/get-advice/>

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