



How the right to a healthy environment could address the causes of poverty

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Our vision

- A Scotland where every person's right to a healthy environment is respected, protected and fulfilled.

Our mission

- Our mission is to assist everyone, especially people who face the biggest barriers, to exercise their rights in environmental law and to protect the environment.

Outline

- Introduction to the Human Rights Bill and the Right to Healthy Environment
- 6 substantive features and 3 procedural features
- Challenge Poverty Week asks and links to the right to a healthy environment.
- How does the right to a healthy environment advance these asks?



Introduction to the Human Rights Bill

Lydia to fill

The Human Rights Bill

- The consultation opened on **15 June** and closes **5 October 2023**
- Incorporates **economic, social, cultural** and **environmental rights**
- The consultation has nine parts, but **the human right to a healthy environment is predominantly to part 5**

Scotland's substantive environmental problems...

Places

- Air, water & noise pollution
- Proximity to derelict land
- Environmental quality
- Health inequalities
- Absence of greenspace/ goods

People

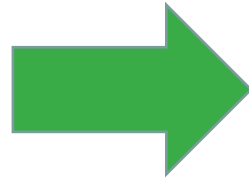
- People on low income
- Children, older people, people with health problems
- Vulnerability to severe weather events

Distributional environmental injustice

Scotland's environmental procedural problems...

Participation in decision-making and holding public bodies & polluters to account

- Equality groups + poverty
- Less participation in local decision-making
- Less awareness of rights
- Access to justice – 'prohibitively expensive'



- Poor enforcement of planning and nature conservation law
- No credible threat of legal challenge
- Environment & nature destruction
- Climate emergency

Procedural environmental injustice

Outreach and awareness

Voices for justice

These blogs give voice to the lived experience of people across Scotland fighting environmental injustices.



📅 27 June 2023

Saving Scotland's ancient and native woodlands – Help Trees Help Us

Only 1% of Scotland's ancient woodland remains and much of it is unprotected, in poor ecological condition and with no special designation. These irreplaceable and complex ecosystems are under threat ...

[Read more](#)



📅 16 March 2023

The fight to stop the Clydebank incinerator – Kenny's voice for justice

"I was fighting for my own health, but I felt as if I was fighting for the health of the people in the hospice, the kids in the primary school and the local community generally ..."

[Read more](#)



FAQs & information sheets

- [Snapshot of Advice Service 2021-22](#), April 2023
- [Right to a healthy environment FAQ](#), March 2023
- [Water pollution FAQ](#), November 2022
- [Air pollution FAQ](#), updated November 2022
- [Greenspace FAQ](#), October 2022
- [Access to justice on the environment, and whether Scotland is providing it](#), updated September 2021
- [Access to environmental information: the importance of the European framework](#), June 2020

Interdependence between environmental law & human rights obligations

- A healthy environment underpins the right to life
- ICESCR: **adequate standard of living** (incl. food, improvement of living conditions)
- ICESCR: right to the **highest attainable standard of physical and mental health**

The human right to a healthy environment

Substantive

1. Clean air
2. Safe climate
3. Access to safe water and sanitation
4. Healthy and sustainable food
5. Non-toxic environments to live, work, study and play
6. 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

Policy asks for Challenge Poverty Week 2023

1. Ensure that everyone has access to a safe, secure and sustainable home that meets their needs
2. Improve the affordability and accessibility of public transport
3. Ensure people have dignified access to good quality, healthy and sustainable food
4. Introduce fair and sustainable funding of three years or more for the third sector

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

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