HUMAN RIGHTS AND THE ENVIRONMENT:
REGIONAL CONSULTATION ON CONSTITUTIONAL ENVIRONMENTAL RIGHTS

23-24 January 2014

Location: Johannesburg, South Africa (Location TBA)

Convened by the United Nations Independent Expert on human rights and the environment, the United Nations Environment Programme (UNEP), the Office of the High Commissioner for Human Rights (OHCHR), and the Legal Resource Centre (LRC)

DAY 1: Thursday, 23 January 2014

8:30-9:00  Registration, coffee and tea

9:00-10:00  Introduction
  - Introduction of participants
  - Presentation of objectives of the consultation
  Professor John Knox, UN Independent Expert on human rights and the environment
  Janet Love, Director, Legal Resource Centre
  UNEP and OHCHR

10:00-11:15  SESSION 1: Overview of constitutional environmental rights
  Moderator: Professor Muhammed Tawfiq Ladan, Ahmadu Bello University, Nigeria
  Panellists:
  Professor Erin Daly, Widener University, USA
  Godber W. Tumushabe, Executive Director, Advocates Coalition for Environment and Development, Uganda
  Professor Louis Kotze, North West University, South Africa

  This session will provide an overview of the global trend to include environmental rights as constitutional rights, from an international, regional and national perspective.

11:15-11:30  Break
SESSION 2: The value of constitutional environmental rights  
**Moderator:** Professor David Boyd, University of Victoria, Canada

What do constitutional environmental rights, such as a right to a healthy environment, add to other methods of environmental protection? How have the rights been adopted at the national level?

- What obligations does a right to a healthy environment create beyond those imposed by other human rights?
- How does a constitutional environmental right safeguard procedural protections, such as rights to information, participation and remedy?
- How does a constitutional environmental right help to inform substantive environmental standards, including with respect to pollution of air and water?

12:45-13:45  
**Lunch**

SESSION 3: Implementation of constitutional environmental rights through litigation  
**Moderator:** Professor Loretta Feris, University of Cape Town

- How have constitutional environmental rights been adjudicated and enforced through the judicial system?
- What are obstacles to effective implementation of constitutional environmental rights through litigation?

15:00-15:30  
**Break**

SESSION 4: Implementation of constitutional environmental rights through other means  
**Moderator:** Benson Owuor Ochieng, Institute for Law and Environmental Governance (ILEG), Kenya

- How have constitutional environmental rights been given effect other than through the judicial system, including through statutes, administrative implementation and community development?
- What are obstacles to effective implementation of such rights through these means?

16:45-17:00  
**Conclusions**

We will conclude the first day with a brief summary and preparation for the next day of discussion.
DAY 2- Friday, 24 January 2014

9:00-10:30 SESSION 5: Good practices: procedural rights and obligations
The work of the session will be organized in break-out groups.

This session will identify examples of good practices within the experience of the participants that relate to the procedural aspects of constitutional environmental rights, such as rights to environmental information, to participation in environmental decision-making, and to remedies for environmental harm. Participants can provide any example of good practices from a range of actors, including governments, NGOs, international organisations, and communities. Good practices can include laws, strategies, institutions, guidelines, projects, and other initiatives.

10:30-11:00 Break

11:00-12:30 SESSION 6: Good Practices: substantive rights and obligations
The work of the session will be organized in break-out groups.

This session will identify examples of good practices that relate to the substantive aspects of constitutional environmental rights, such as the use of such rights to inform and clarify standards of environmental quality and management. Again, participants can provide any example of good practices from a range of actors, and good practices can include laws, strategies, and other initiatives.

12:30-13:30 Lunch

13:30-15:30 SESSION 7: Reporting from break-out groups
Moderator: Dr. Hamudi Majamba, Partner, LawCastles, Dar es Salaam, Tanzania

The break-out groups will each provide one or more examples of good practices for discussion by the full group.

15:30-16:00 Break

16:00-17:00 SESSION 8: Putting good practices into practice
Moderator: Professor John Knox

This session will conclude the meeting with a discussion of how dissemination and adoption of these good practices can best be encouraged.