

Dear Melinda & Macu,

Many thanks for inviting me to participate in the Expert Meeting with the SR Environment this week. I found the meeting very interesting and was particularly impressed at the quality and variety of the participants you assembled.

My apologies for having to leave early on the Tuesday afternoon. As I missed the final session on conclusions, and for what it is worth, I am sending through my concluding thoughts from the meeting. These are my views on what were the most interesting and viable ideas emerging from the meeting, remembering that my perspective is very much focused on Geneva and human rights!

- I would like to see John keep the idea of pushing for a right to a healthy environment (formulation to be determined) and to develop a long-term strategy for achieving this. My view is that a resolution (or series of) is the most effective way of doing this. I don't think a treaty is realistic and the timeframes are too long. I think a Declaration is less influential and it may be a bit tainted in my mind because of some of the current inter-governmental processes for a Declaration which are proving difficult to move forward. It would be good to consider the experience with the Water resolution and perhaps to bring together some of the advocates involved in that (and other experts, including the former SR Water) to discuss strategy, lessons learned etc. A complimentary civil society campaign will be an important element.
- Initially I liked the idea of a Handbook, in the same model as the one on Water. However, following the discussions at the Expert Meeting, I now think Guidelines or Principles are a better use of John's limited time and resources. I agree with Ramin that something like the Ruggie Principles is likely to be most influential and useful. Therefore I would suggest using what is in the Mapping Report, and defining a list of Principles which are intended to translate the obligations identified into a more readable and practical form, principally for States. For some areas (esp substantive obligations), further development of the obligations is also possible (ie. going beyond what is in the Mapping Report). You could also consider doing a separate section, or set of Principles, targeting non-State actors (private corporations, IFIs, development actors).
- I would see the Principles being the first part of the long-term strategy re a right to a healthy environment - i.e. they be developed having the long-term objective in mind. Critical to the success of the Principles will be an inclusive process that manages to bring along States, private sector, UN/development actors and civil society. Not an easy task and it is inevitable that not everyone will be content with the outcome. The Voluntary Guidelines on Responsible Governance of Tenure of Land and Fisheries is another example of a successful process and outcome. This model is slightly different to the Ruggie Principles, as it was co-ordinated by FAO and involved a formal multi-stakeholder (State and CSOs) process.
- A number of participants mentioned working with NHRIs - I agree this is a good strategy for national level dissemination, training/ skills sharing, consultations, etc. Seeing if HRs & the environment could be a theme at the annual global NHRI conference.
- Kishan suggested an inter-governmental mechanism to provide technical assistance to States on implementing obligations relating to HRs & environment. A similar idea was put by Vince Yu, but emphasising South-South dialogue and co-operation. I really like these ideas, although I don't have suggestions on how to do this!
- I am interested in the idea of doing some work in the inter-governmental space focusing on tackling the apparent clash between development and the environment / development and human rights (Alston's work on this). Perhaps a panel discussion at HR Council inviting speakers from key development agencies (trying to break down the 'UN silos') emphasising the complementarity of the right to development and human rights and the environment. Alternatively a forum event on this topic? Perhaps CESCR could be involved also, given that it is considering a General Comment on a similar topic. I acknowledge that I may be being a little naive on how likely it is that this topic can be addressed in a way that doesn't turn into

political point scoring - Vince Yu (and others who work a lot at the inter-governmental level in Geneva) might have some insights to share about this.

- I think the UPR could be used more to promote better environmental policies at the national level. Whilst advocacy in the UPR process is generally undertaken by NGOs/CSOs, it is worth remembering that the OHCHR compilation report for a State under Review includes recommendations made by Spec Procedures. So perhaps more could be done, in partnership with NGOs, to encourage recommending States to use the UPR to follow up on John's recommendations to States (from country visits and Communications / Urgent Action Letters).

Many thanks again for the opportunity to participate and I look forward to working together further in the future.

Very best wishes,

Lucy

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