Call for input

Special Rapporteur on human rights and the environment

Visit to Fiji

7 – 18 December 2018

In connection with an official visit to **Fiji**, to take place from **7 to 18 December 2018**, the United Nations [Special Rapporteur on human rights and the environment](https://www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/SRenvironmentIndex.aspx), Mr. [David R. Boyd](https://www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/DavidBoyd.aspx), would like to take your feedback into account. The visit will include discussions with government officials and representatives of civil society about good practices and challenges in the implementation of human rights obligations relating to environmental protection.

Human rights and the environments are interlinked and interdependent. The full enjoyment of human rights depends on healthy environment. Environmental degradation undermines our ability to enjoy our human rights, including the rights to life and health, to food and water, to cultural life, and to a healthy and sustainable environment.

States have a general obligation to protect the environment (including by regulating businesses and other private actors) in order to protect the rights that depend upon it. These obligations include duties of the State to provide information about environmental matters, facilitate public participation in environmental decision-making, and provide effective remedies for environmental harm. States should establish and maintain substantive environmental standards and effectively enforce these standards aimed at respecting, protecting and fulfilling human rights. States must protect environmental defenders from harassment and violence. States also have heightened duties to protect those whose rights are most vulnerable to environmental harm.

The Special Rapporteur will present a public report on the country visit to the United Nations Human Rights Council.

Any responses you provide to the questions below would be greatly appreciated. You need not answer all of them – you can focus on the ones that are relevant to you.

If you would like your submission to be considered *during* the visit as well as after it, please send any responses to the questions to [srenvironment@ohchr.org](mailto:srenvironment@ohchr.org) **as soon as possible** but no later than **23 November 2018**.

If you reply by **28 December 2018,** your submission will not be considered during the mission, but it will be taken into account for the Special Rapporteur’s report to the UN Human Rights Council.

Please feel free to share this message and the questions with anyone who might be interested in contributing.

**Your responses will be kept *confidential*. Neither you nor your organization will be identified, and your response will not be attributed to you or your organization, even if the Special Rapporteur raises issues that you brought to his attention.**

Should you have any questions, please do not hesitate to contact us.

Questions

1. Fiji has ratified many **international and regional human rights treaties and environmental agreements**,
   1. How well are these agreements implemented on the ground?
      1. Are there any good examples? Why are these good examples?
      2. Are there any challenges? What are the causes? How can these be overcome?
   2. Are there any other international/regional agreements that need to be ratified by Fiji in order to protect and promote a wide range of human rights (e.g., rights to information, participation, access to remedies, an adequate standard of living, food, health, land, housing, water, sanitation, a healthy and sustainable environment, cultural life, etc.) from environmental harm (e.g., environmental degradation, pollution, climate change, deforestation, harm to biodiversity and ecosystems, etc.)? If so, how would this ratification help to protect and promote human rights?
2. What are the major **domestic laws and regulations** that are placed to protect and promote human rights from environmental harm? How well are they implemented and enforced?
   1. Are there any good examples? Why are these good examples?
   2. Are there any challenges? What are the causes? How can these be overcome?
   3. Is the constitutional right to a clean and healthy environment having positive effects? If so, please give examples. If not, please explain why not.
3. What are the most **urgent human rights and/or environmental issues** that would require the attention of the Special Rapporteur? These issues can be related to the guarantee of procedural rights (e.g., rights to information, participation and access to remedy), the protection/realization of substantive rights (e.g., rights to health, an adequate standard of living, food, land, housing, water, sanitation, a healthy and sustainable environment, cultural life, etc.) and/or linked to the rights of certain groups/individuals who are exceptionally vulnerable to environmental harm (e.g., indigenous peoples, women, children, rural communities, people living in poverty, minorities, etc.).
   1. What is the cause? What needs to be done?
   2. How can the Special Rapporteur contribute to making the situation better?
4. How well are **environmental human rights defenders** (those who work to protect the environment and/or the human rights that depend on it) protected in Fiji?
   1. Are there any good practices in promoting the activities of environmental human rights defenders? Please elaborate if you have specific cases.
   2. Are there any challenges? If so, what are the causes? What can be done to improve the situation? Please elaborate if you have specific cases.
5. How would you evaluate practices of **businesses** whose activities have environmental implications (e.g., mining, forestry, fishing, etc.) in Fiji, including multinational, domestic and state-owned businesses? Are these businesses complying with the requirements of environmental laws? How well do the businesses respect and protect human rights? What role does the Government play in addressing human rights violations caused by environmental damage created by business enterprises?
6. Please provide contact details of any **key persons and/or civil society organizations** (e.g. academics, government officials, research institutes, environmental organizations, victims’ organizations, etc.) who you think it would be useful for the Special Rapporteur to be in touch with, either in Fiji or elsewhere.
7. Please indicate if you have any suggestions for **places to visit outside Suva** and key persons to contact to meet during the field visit (*Please send your input for this question by* ***16 November 2018***).
8. Are there any **specific questions** that you would like the Special Rapporteur to raise with a particular government body/ministry?
9. Following the visit, the Special Rapporteur will submit an official report of the visit to the Human Rights Council which will include his **recommendations** to the Government of Fiji and possibly to other relevant stakeholders (e.g., UN agencies, CSOs, businesses, etc.). Are there any specific recommendations that you wish the Special Rapporteur to consider? If so, please indicate and explain why.
10. Please let us know if there are **any other issues** that you want to bring to the attention of the Special Rapporteur.