OUR RIGHTS, OUR PLANET

RECOMMENDATIONS
TO REINFORCE HUMAN RIGHTS THROUGH PLANETARY JUSTICE

Policy Brief No 8 | June 2026

HUMAN RIGHTS COMPASS

THE CONTEXT:
PLANETARY JUSTICE, THE NEW FRONTIER OF HUMAN RIGHTS

Attacks on human rights, the rise of autocracy and populism, the fracturing of the international order, and the accelerating consequences of the triple planetary crisis are all interconnected. Each issue exacerbates the others and makes them easier to ignore. The triple planetary crisis — climate change, pollution, and biodiversity loss — is currently the most pressing human rights issue. With millions of species facing extinction and food insecurity and mass population displacement predicted to follow, the decisions we make today will determine the human rights of future generations.

The scientific and political consensus is clear: global warming must be kept below 1.5 C, yet, governments are not acting accordingly. The main actors responsible for the crisis continue to act with impunity under a business-as-usual model, making record profits, while accountability mechanisms remain weak and inconsistent.

The global realignment that has accelerated since 2025 — characterised by the collapse of multilateral leadership, the consolidation of authoritarianism, and a shift towards transactional diplomacy — has removed important levers for environmental accountability.

Europe's rearmament in response to Russia's war of aggression against Ukraine has further crowded out the political and financial space required for the climate and environmental commitments.

Economic nationalism and energy security concerns have displaced climate and environmental action as a priority for many governments that once led on the issue. Civic space, which was already severely restricted in many regions, has shrunk further, reducing the ability of both climate and environmental advocates, as well as human rights defenders, to make their voices heard.

Legal Architecture in Progress

The legal architecture for environmental rights evolved incrementally, from the local to the international level. This progression itself offers hope.

The 2024 KlimaSeniorinnen judgment of the European Court of Human Rights (ECtHR) is emblematic of this trajectory. The constitutional article on the right to a clean, healthy, and sustainable environment, which was adopted in Geneva in 2012, provided the legal basis for older Swiss women to argue that inadequate climate and environmental action violated their rights. Their claims travelled through domestic litigation and contributed to the landmark judgment. This journey from sub-national constitutional recognition to regional human rights jurisprudence highlights the strategic importance of establishing human rights at a level where victories can be achieved. It also demonstrates the influence of local legal foundations on international legal evolution.

At the international level, the most significant milestone came in July 2022, when the United Nations General Assembly adopted a landmark resolution recognising access to a clean, healthy, and sustainable environment as a universal human right.

In 2025, the International Court of Justice has affirmed the right to a healthy environment as a norm of international law, and the Inter-American Court of Human Rights reinforced it through an advisory opinion. This was confirmed by the UN General Assembly's resolution in May 2026 brought forward thanks to the leadership of Vanuatu and which was adopted despite the opposition from only eight member states, including Belarus, Iran, Israel, the Russian Federation and the United States.

Notably, the Council of Europe remains the only human rights system that has not legally recognised this right, despite it being precisely the ECtHR's own case law that has done so much to advance it.

Acute Threats to Environmental Human Rights Defenders

The most acute manifestation of this failure is the treatment of environmental defenders, who are among the most at-risk groups.

Across regions and political systems, states and corporations use counter-terrorism legislation, public order laws and digital security acts, administrative harassment, and strategic lawsuits

against public participation (SLAPPs) to silence advocacy that threatens economic interests.

SLAPPs brought by major fossil fuel and pipeline companies have become a central instrument of corporate suppression, targeting organisations and individuals across multiple jurisdictions. The purpose of a SLAPP is not to win on the merits, rather, it is to drain resources, stifle free speech, and deter others from showing solidarity.

The UN Special Rapporteur on Environmental Defenders under the Aarhus Convention recently described the repression of environmental and climate protests and civil disobedience by states as a major threat to human rights and democracy.

This pattern is evident globally. In Pakistan, for example, environmental activists have been imprisoned over a single social media post. In India, a prominent climate and environmental activist who was advocating for a fossil fuel treaty was arrested. In Georgia, environmental activists raising concerns about air pollution and water quality have been subjected to hate speech, crackdowns, and violence. In Bangladesh, those fighting to restore a river face criminalisation by a ruling party with a financial interest in the matter.

Multilateral Failure Towards Civil Society?

Even when criminalisation is not an issue, environmental human rights defenders are largely absent from the processes that affect them directly.

The three most recent Conferences of the Parties to the UN Framework Convention on Climate Change (UNFCCC) were hosted by autocratic states: Egypt, the United Arab Emirates, and Azerbaijan. COP31 in 2026 will take place in Türkiye. Ethiopia appears to be the lead contender to host COP32 thereafter.

The UNFCCC Secretariat has systematically refused to take responsibility for civic space conditions at its events or for civil society engagement beyond formally accredited organisations.

There is a significant disconnect between those who make climate and environmental policy and those who are on the frontline of the planetary crisis. Local-level defenders lack the tools and access to engage effectively with global climate and environmental governance fora. Even when they manage to participate, they are not recognised as contributors to governance outcomes. Visa restrictions, surveillance, and the prohibitive costs of international travel systematically exclude representatives from the world's most climate-vulnerable regions. The voices that are most essential to effective climate and environmental action are consistently marginalised.

In 2024, Azerbaijan excluded independent civil society entirely from COP29 before the event began, with reprisals having taken place for months beforehand. The case of Azerbaijani human rights defender Anar Mammadli, who was arrested while trying to build a civil society coalition to participate in COP29 in Baku, exemplifies the connection between these risks and the structure of international climate and environmental governance.

The New Frontier of Human Rights

The human rights community and the climate and environmental justice movements largely continue to operate in separate spheres, with distinct networks, tools, and political strategies.

The human rights framework, with its universality, its independence from governmental recognition, and its established mechanisms for accountability and protection, offers the planetary crisis an orientation it currently lacks.

At the same time, the struggle for climate and environmental rights has become the most important arena for human rights today. Treating it as secondary within mainstream human rights work is no longer justifiable.

We welcome the inaugural European Forum on Environmental Human Rights Defenders to be held in Strasbourg, France, on 3 and 4 June 2026, which provides an opportunity to pledge to apply the Aarhus Guidelines as the operational baseline for the protection of environmental human rights defenders.

Climate justice is the new frontier of human rights. Recognising this — and acting on it — is essential for progress in both areas.

RECOMMENDATIONS:
FROM A DIVIDE TO JOINT ACTION

The following recommendations are the result of the Human Rights Compass Convening of 15 leading international environmental human rights defenders and climate and human rights experts, which was held on 28 April 2026. The brief and recommendations reflect the discussions at the Convening and complemented by additional research.

The policy brief has been reviewed by an editorial committee of Human Rights Compass.

» Ensure the Right to a Clean Environment is Anchored in Law, from Local to Regional

Building on the UN General Assembly resolution A/76/L.75 of July 2022, states and parliaments should enshrine the right to a clean, healthy, and sustainable environment in national constitutions, sub-national legal frameworks, and binding domestic legislation. The Council of Europe (CoE) should adopt an additional Protocol to the European Convention on Human Rights recognising this right, in line with the proposal of the Parliamentary Assembly of the Council of Europe in Resolution 2396 and Recommendation 2211 of 2021, thereby closing its half-century gap.

The case for an additional Protocol to the European Convention on Human Rights hinges on legal coherence. For decades, environmental claims have been routed through Articles 2, 3 and 8 resulting in a substantial but uneven and contested body of jurisprudence. The KlimaSeniorinnen judgment confirmed that the Convention can address climate and environmental harm, and revealed the limitations of doing so through rights designed for other purposes, as demonstrated by the response of the relevant state. A dedicated Protocol would consolidate this case law, set a shared baseline across the 46 Member states, and align the European system with the approach taken by the UN GA in July 2022 and May 2026, the UN Human Rights Council, the Inter-American Court of Human Rights, and the International Court of Justice.

Action is needed at every level. Thirteen CoE Member states lack a constitutional or legislative right to a healthy environment in their domestic order, and parliaments in those states should introduce legislation. Where the right exists in principle, governments and courts should make it enforceable and embedded it in administrative, planning, and budgetary processes.

The connection between climate and environmental struggles and human rights work is based on the idea that environmental damage is legally equivalent to human rights violations, and should therefore be subject to the same procedural rights, remedies, and institutions. This establishes a shared legal framework for climate and environmental advocacy and human rights work at all levels, from local to regional.

» Develop Rights and Procedural Protections for Nature

States, courts, and international bodies should advance the legal recognition of rights of nature, together with the procedural rights of standing, access to information, and effective participation that allow ecosystems, species, and natural entities to be defended in their own right. Building on existing constitutional and jurisprudential examples, governments should support the development of international standards on the legal personhood of natural entities and on the procedural rights ensuring their representation.

Today, over twenty jurisdictions have given rivers, mountains, glaciers, and whole ecosystems the legal status that allows them to be defended in court in their own name: Ecuador anchored the rights of the Pachamama in its 2008 Constitution; Bolivia followed in 2011; and Colombia, Brazil, India, New Zealand, and Uganda have built further jurisprudential and legislative practice. In September 2022, the Spanish Senate granted legal personality to the Mar Menor lagoon, the first such recognition in a European Union Member State.

Parliaments should pass legislation recognising the legal personhood of specific ecosystems and define how their interests are represented in administrative and judicial proceedings. Courts should build on existing examples

of standing for ecosystems, from the Vilcabamba river case in Ecuador to the recognition of rivers as rights-holders by Colombian courts and the 2019 ruling of the Brazilian Superior Court of Justice on non-human animals as subjects of rights. International bodies, including UN human rights mechanisms, the Inter-American system, and the Council of Europe, should develop standards on the legal personhood of natural entities, on guardianship arrangements, and on the procedural rights of standing, access to environmental information, and effective participation, which facilitate representation.

Acknowledging nature's rights constitutes a democratic revolution: it establishes institutions and procedures that enable humans to represent the interests of non-humans in decisions that affect them. Ecosystem destruction undermines the conditions for human rights, and granting nature legal standing creates the necessary procedures to defend interdependence. The rights of nature and the right to a clean, healthy, and sustainable environment are interconnected: the former gives ecosystems legal representation; the latter grants people a binding entitlement to the conditions that sustain their daily lives.

» Codify Ecocide and Hold Perpetrators Accountable for Environmental Degradation in Conflict

States should support the recognition of ecocide as an international crime, e.g. through amending the Rome Statute of the International Criminal Court, and develop accountability mechanisms for environmental and climate degradation caused during war. Those responsible for the environmental damage caused by armed conflict, including damage to ecosystems, land and water, and the long-term climate impact of such conflict, should be held accountable.

Ecocide addresses a clear gap in international criminal law. While the Rome Statute recognises deliberate environmental destruction as a war crime under Article 8(2)(b)(iv), the conditions for its application are so restrictive that the provision has never been invoked. In peacetime, the most serious cases of environmental harm fall outside any binding international criminal framework, from large-scale toxic waste trafficking to the illegal exploitation of protected species, mass deforestation, and major oil spills. Ukraine's investigation of a possible ecocide case against Russia shows that national prosecutions can play this role, and international support to such investigations strengthens the accountability framework. The 2021 definition of ecocide developed by the Independent Expert Panel for the Legal Definition of Ecocide, focused on widespread or long-term damage to the environment, gives states a workable basis for closing this gap in both international law and domestic codes.

At the international level, states should support an amendment to the Rome Statute adding ecocide as a fifth international crime alongside genocide, crimes against humanity, war crimes, and the crime of aggression. At the European level, states should ensure full transposition of the EU Environmental Crimes Directive of April 2024, which contains qualified offences comparable to ecocide. All states should also adhere to the 2025 CoE Convention on the Protection of the Environment through Criminal Law. At the national level, parliaments should follow the path opened by France and Belgium and the bills before the Mexican, Brazilian, Catalan, Dutch, and Scottish legislatures, ensuring that the criminal liability of legal persons is included given the central role of corporate actors in the most serious cases.

» Place Indigenous Peoples and Marginalised Communities at the Heart of Decision-Making

States, multilateral institutions, and the climate and environmental movement must put Indigenous Peoples, local communities, and marginalised groups at the heart of climate and environmental decision-making. Free, prior, and informed consent should be applied as a binding standard, not just a procedural formality. The acceleration of the green transition must not reproduce the extractive logic it claims to replace, and the rights of Indigenous Peoples to land and self-determination must be respected unconditionally.

Indigenous Peoples and marginalised communities are at the forefront of the planetary crisis. They hold legal, customary, and stewardship rights over a significant proportion of the world's remaining intact ecosystems and biodiversity. Their knowledge systems contain land, water, and forest management practices that have proven

resilient over generations. Nevertheless, they bear a disproportionate share of the impacts of climate change and the consequences of extractive industries. This is exacerbated by geographic, economic, and social factors, as they have limited access to adaptive resources and are structurally excluded from the institutions that decide on their futures. Not only is their full and meaningful inclusion in decision-making grounded in international human rights law, it is also a prerequisite for climate and environmental action to be both equitable and effective.

States should implement free, prior, and informed consent as a binding standard - in line with the UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169. This should apply to renewable energy projects, transition mineral mining, and the designations of protected areas on Indigenous land. Multilateral institutions must recognise Indigenous Peoples and local communities as stakeholders within climate finance, biodiversity frameworks, and the UNFCCC process. They should have structured access to negotiations and their representatives should be protected from reprisals.

Centring those most affected is both a legal obligation under existing human rights instruments, as well as being a condition for climate and environmental action to have democratic legitimacy.

» Put Women and Girls at the Centre of Climate and Environmental Policy

States, multilateral institutions, and climate and environmental actors must integrate gender justice into climate and environmental policies at all levels. They must recognise that women, girls, and gender-diverse individuals experience the disproportionate consequences of the planetary crisis, while also leading much of the response on the ground. Funding, protection mechanisms, and decision-making structures in this area must explicitly recognise women human rights defenders and feminist environmental organisations as key stakeholders, not beneficiaries.

Climate and environmental harm exacerbate gender inequality: women and girls have a higher mortality rate in climate-related disasters, suffer the most severe consequences of food and water insecurity, and face an increased burden of unpaid care work as crises intensify. UN Women estimated that climate change could push an additional 158 million women and girls into poverty by 2050. Women environmental defenders also face gender-based violence, sexual assault, and smear campaigns, as well as risks faced by all defenders.

States should implement the enhanced Lima work programme on gender under the UNFCCC, apply CEDAW General Recommendation 37 on the gender-related dimensions of disaster risk reduction in the context of climate change, ensure gender-responsive climate finance, and provide flexible, multi-year funding to feminist environmental organisations. International financial institutions should make the implementation of the Lima work programme and CEDAW General Recommendation 37 conditional for engagement in fragile contexts.

Gender justice is an essential element of any human rights-based approach to the planetary crisis.

» Stop Criminalisation and Excessive Sentencing of Peaceful Environmental Protest

Law enforcement, prosecutorial and judicial practices in Europe and beyond should be aligned with the Guidelines on the Right to Peaceful Environmental Protest and Civil Disobedience, which were issued by the UN Special Rapporteur on Environmental Defenders under the Aarhus Convention in October 2025. Custodial sentences for peaceful civil disobedience must end, and charges based on counter-terrorism, organised crime, and extremism provisions must not be brought against environmental human rights defenders. Judicial practice should reflect that disruption is not violence and that collective participation is not an aggravating factor.

The criminalisation of peaceful environmental protest accelerated across Europe and beyond. In several Council of Europe Member states — notably the United Kingdom — environmental human rights defenders and climate activists have received prison sentences of several years for non-violent acts of civil disobedience, and have been prosecuted under public order, counter-terrorism, and conspiracy provisions.

The Aarhus Guidelines bring together the case law from the European Court of Human Rights, the standards of the UN Human Rights Committee, and Article 3(8) of the Aarhus Convention. They conclude that custodial

sentences for civil disobedience are arbitrary and likely to disproportionately restrict the rights to freedom of expression, peaceful assembly, and association.

Parliaments should review all criminal, civil, and administrative legislation relating to environmental protest, to ensure it complies with the three-part test of legality, legitimate aim, and necessity. Prosecutors should withdraw charges brought under terrorism, organised crime, and extremism provisions in cases involving peaceful action and protest. Courts should refrain from imposing custodial sentences for civil disobedience and refuse to impose bans on future protests as a sanction or bail condition. Any sanction imposed must be proportionate and based on the facts of the individual case.

» Strengthen the Protection of Environmental Defenders by Raising the Cost of Reprisals

To raise the political, reputational, and legal cost of reprisals against environmental human rights defenders, states, multilateral bodies, and civil society should act in concert and apply the standards of UN Human Rights Council Resolution 40/11 consistently throughout the entirety of the UN system. Protection for defenders should be incorporated into the preparatory work for major international conferences, and host or presiding states should be held to clear standards regarding civic space protection before, during, and after such events.

As outlined in Defending Defenders (June 2025), human rights defenders need a protection framework that recognises them, provides funding, and deters those who attack them. Environmental human rights defenders are the most at-risk group worldwide, yet the political, reputational, and legal cost to states that carry out reprisals against them remains low. The UN reprisals mechanism led by the Assistant Secretary-General for Human Rights should be systematised across all UN agencies, including the UNFCCC and the Convention on Biological Diversity.

States should ratify the Aarhus Convention, join the LEAD Initiative to connect defenders to climate decision-making processes, and integrate defender protection and civic space concerns into the preparatory work for COPs and other major conferences.

Public political support for environmental human rights defenders increases the reputational cost of reprisals.

» Make Human Rights Due Diligence a Binding Condition of COP Hosting

As the secretariat of a binding treaty, the UNFCCC Secretariat must accept responsibility for the civic space conditions in which its conferences are held and establish binding human rights due diligence requirement as a condition for hosting the Conference of the Parties (COP). Before their candidacy is accepted, candidate host states should be required to demonstrate respect for freedom of association and assembly, protection of civil society, and the absence of reprisals against environmental human rights defenders.

States should incorporate civic space into their negotiations with COP presidencies and advocate for a binding human rights due diligence requirement in the bidding process. If such conditions are not met, the COP itself should be held in Bonn, and the presidency should lose its right to host the conference.

The UNFCCC secretariat, states, and civil society should swiftly hold an expert seminar to develop guidelines on civil society engagement, and a COP member state statement at the end of the next COP should commit to civic space protection in climate and biodiversity processes.

» Use International Financial Institutions for Human Rights and Environmental Advocacy

Human rights and environmental organisations should collaborate in using the operational and legal frameworks of international financial institutions — including the World Bank, the European Bank for Reconstruction and Development, the Asian Development Bank, Organisation for Economic Co-operation and Development, and the Financial Action Task Force — as channels for joint advocacy on civic space, environmental rights, and human rights.

The investments and projects of these institutions directly affect civic space, social rights, and environmental rights in the regions where they operate. A coordinated rights-based environmental advocacy strategy could supplement traditional UN mechanisms, particularly in regions where their reach is limited.

Human rights and environmental organisations should identify the relevant provisions in international financial institutions safeguards, accountability mechanisms, and country agreements, and develop joint advocacy strategies. The Working Group on Sustainable Development in Central Asia, which has analysed the human rights and civic space frameworks of these six institutions in 2024–2025, offers a replicable model for other regions.

» Strengthen Anti-SLAPP Protections and Hold Polluters Accountable through Strategic Litigation

As soon as possible, states across Europe should ensure the full and ambitious transposition of the 2024 European Union Anti-SLAPP Directive and implement the Council of Europe's recommendation on robust SLAPP protections. Meanwhile, civil society should expand cross-border anti-SLAPP coalitions connecting journalists, defenders, lawyers, and funders.

Strategic lawsuits against public participation (SLAPPs) are used to silence environmental advocacy and to drain the resources of those who speak truth to power. The Greenpeace International v Energy Transfer case in the United States, in which three Greenpeace organisations were ordered to pay 666 million dollars in damages for supporting the indigenous-led resistance to the Dakota Access Pipeline, illustrates the scale of the threat. The May 2026 transposition deadline for the EU Anti-SLAPP Directive is a pivotal moment for protecting environmental advocacy in Europe.

Member states should exceed the minimum standards set out in the directive and act in line with the Council of Europe’s recommendation on robust SLAPP protections.

OUR RIGHTS, OUR PLANET
Recommendations to Reinforce Human Rights Through Planetary Justice

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