Annex V.

Recognition of the Right to a Healthy Environment in Constitutions, Legislation and Treaties: Asia-Pacific Region

This Annex contains a chart summarizing the status of the right to a healthy environment in the constitutions, legislation, and regional treaties of States in the Asia-Pacific Region. Following the chart is an alphabetical listing of States and the specific constitutional and legislative references to the right to a healthy environment in each of those States.

Much of the research conducted for this project on behalf of the Special Rapporteur was organized by the Cyrus R. Vance Center for International Justice and carried out on a pro bono basis by a consortium of law firms led by Clifford Chance and White & Case.1 The conclusions expressed in the Annex, including the chart, are the Special Rapporteur's alone. Any errors and/or omissions are the sole responsibility of the Special Rapporteur on human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment.

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1 The Special Rapporteur would like to extend his great appreciation to Susan Kath and Sam Bookman from the Cyrus R. Vance Center for International Justice, Janet Whittaker, Carla Lewis and David Boyd from Clifford Chance, and the hundreds of lawyers from Clifford Chance, White & Case and law firms around the world who generously contributed their time and expertise to this research project on a pro bono basis.

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‡ Denotes party to the Arab Charter on Human Rights.
* Denotes an implicit right. See country-specific notes for details.
A. Afghanistan
Constitutional provisions
N/A
Treaty provisions
N/A
Legislative provisions
N/A

B. Bahrain
Constitutional provisions
N/A
Treaty provisions
Party to the Arab Charter on Human Rights.
Legislative provisions
N/A

C. Bangladesh
Constitutional provisions
The Constitution of Bangladesh does not expressly provide rights to a healthy environment. However, according to case law interpretations, Articles 31 and 32 of the Constitution, which protect the right to life as a fundamental right, encompass the protection and preservation of a healthy environment and ecological balance free from pollution of air and water, and sanitation. See: Farooque v Government of Bangladesh, 22 BLD (HDC) (2002) 534; Bhuiyan v Ministry of Local Government, 59 DLR (AD) (2007); BLAST v Bangladesh, Writ Petition No. 1534 of 1999; BLAST v Bangladesh, Writ Petition No. 1694/2000, Judgment reported at: 22 BLD (HCD) 245 [Vehicular Pollution Case].

Article 31: Right to protection of law
To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

Article 32: Protection of right to life and personal liberty
No person shall be deprived of life or personal liberty save in accordance with law.
D. Bhutan

Constitutional provisions
N/A. However, the constitution does provide an extensive set of government and individual duties to protect the environment (Article 5), including the requirement that 60 per cent of Bhutan’s total land remain under forest cover for all time.

Treaty provisions
N/A

Legislative provisions

Section 5 of the National Environmental Protection Act 2007
A person has the fundamental right to a safe and healthy environment with equal and corresponding duty to protect and promote the environmental wellbeing of the country.

Section 6 of the Waste Prevention & Management Act 2009
A person has the right to safe and healthy environment with equal and corresponding duty to protect and promote the environmental wellbeing of the country as enshrined in the Constitution of the Kingdom of Bhutan.

E. Brunei Darussalam

Constitutional provisions
N/A

Treaty provisions
Party to the non-binding ASEAN Human Rights Declaration.

Legislative provisions
N/A

F. Cambodia

Constitutional provisions
N/A

Treaty provisions
Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions
N/A

G. China

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A
H. Cyprus

Constitutional provisions

Article 7.1 of the Constitution (right to life) has been interpreted to provide a positive right to the environment. See: Republic v Pyrgon Community (1996) 3 A.A.Δ (Supreme Court of Cyprus) 503.

Article 7.1: Each has the right to life and physical integrity.

Έκαστος έχει το δικαίωμα ζωής και σωματικής ακεραιότητος.

Treaty provisions


Legislative provisions


In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.

I. Democratic People’s Republic of Korea (North Korea)

Constitutional provisions

N/A

Treaty provisions

N/A

Legislative provisions

N/A

J. Fiji

Constitutional provisions

Constitution of the Republic of Fiji

Article 40:

(1) Every person has the right to a clean and healthy environment, which includes the right to have the natural world protected for the benefit of present and future generations through legislative and other measures.

(2) To the extent that it is necessary, a law or an administrative action taken under a law may limit, or may authorise, the limitation of, the rights set out in this section.
K. India

Constitutional provisions


Article 21 of the Constitution of India

No person shall be deprived of his life or personal liberty except according to procedure established by law.

Treaty provisions

N/A

Legislative provisions

National Green Tribunal Act (No. 19 of 2010)

Preamble

And whereas in the judicial pronouncement in India, the right to a healthy environment has been construed as a part of the right to life under article 21 of the Constitution;

Section 14

The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment) is involved and such question arises out of the implementation of the enactments specified in Schedule I.

L. Indonesia

Constitutional provisions

Article 28H (1) of the Constitution of the Republic of Indonesia of 1945

SECTION XA — FUNDAMENTAL HUMAN RIGHTS

Everyone has a right to well-being in body and mind, to a place to dwell, to enjoy a good and healthy environment, and to receive medical care.

BAB XA – HAK ASASI MANUSIA

Setiap orang berhak hidup sejahtera lahir dan batin, bertempat tinggal, dan mendapatkan lingkungan hidup yang baik dan sehat serta berhak memperoleh pelayanan kesehatan.

8. Treaty provisions

Party to the (non-binding) ASEAN Human Rights Declaration.
**Legislative provisions**

**Law No. 39 of 1999 regarding Human Rights / Undang – Undang Republik Indonesia No. 39 Tahun 1999 tentang Hak Asasi Manusia, Article 9(3)**

*CHAPTER III — HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS*

**Section I — Right to live**

Everyone has the right to a good and healthy environment.

*BAB III — HAK ASASI MANUSIA DAN KEBEBASAN DASAR MANUSIA*

*Bagian Kesatu — Hak untuk Hidup*

Setiap orang berhak atas lingkungan hidup yang baik dan sehat.

**Law No. 32 of 2009 regarding The Protection and Management of The Environment / Undang – Undang Republik Indonesia No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup**

*CHAPTER X – RIGHTS, OBLIGATIONS AND RESTRICTIONS*

**Section I — Rights**

Article 65

(1) Everyone has the right to a good and healthy environment as one of the human rights.

*BAB X — HAK, KEWAJIBAN, DAN LARANGAN*

*Bagian Kesatu — Hak*

*Pasal 65*

(1) Setiap orang berhak atas lingkungan hidup yang baik dan sehat sebagai bagian dari hak asasi manusia.

**M. Iran**

**Constitutional provisions**

**Principle 50 of the Constitution of the Islamic Republic of Iran (Approved on November 15, 1979; Amended 1989)**

The preservation of the environment, in which the present as well as the future generations have a right to flourishing social existence, is regarded as a public duty in the Islamic Republic. Economic and other activities that inevitably involve pollution of the environment or cause irreparable damage to it are therefore forbidden.

**Treaty provisions**

N/A

**Legislative provisions**

N/A
**N. Iraq**

**Constitutional provisions**

**Article 33 of the Constitution of Iraq**

1. Every individual has the right to live in a safe environment.
2. The State undertakes the protection and preservation of the environment and biological diversity.

المادة 33 من الدستور العراقي:
1. لكل فرد حق العيش في ظروف بيئية سليمة.
2. البيئة حماية الدولة تكفل والتثوف الأحياني والحفاظ عليها.

**Treaty provisions**
Party to the Arab Charter on Human Rights.

**Legislative provisions**
N/A

**O. Japan**

**Constitutional provisions**
N/A

**Treaty provisions**
N/A

**Legislative provisions**
N/A

**P. Jordan**

**Constitutional provisions**
N/A

**Treaty provisions**
Party to the Arab Charter on Human Rights.

**Legislative provisions**
N/A

**Q. Kazakhstan**

**Constitutional provisions**
N/A

**Treaty provisions**

**Legislative provisions**

1. Individuals have the right:
1) to a favourable environment for their life and health.

1. Физические лица имеют право:
1) на благоприятную для их жизни и здоровья окружающую среду.

R. Kiribati
Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A

S. Kuwait
Constitutional provisions
N/A

Treaty provisions
Party to the Arab Charter on Human Rights.

Legislative provisions
N/A

T. Kyrgyzstan
Constitutional provisions

Constitution of the Kyrgyz Republic of 27 June 2010
Article 48
1. Everyone shall have the right to environment favourable for life and health.

48-берене.

1. Ар ким омур жана ден соолугу учун ынгайлуу болгон экологиялык чойроого укуктуу.

Treaty provisions

Legislative provisions
Law of the Kyrgyz Republic ""On environmental protection"" dated 16 June 1999 No. 53, Article 3

Every citizen has the right to a favourable environment for life and health, and to compensation for damage caused to health or property by adverse environmental impact on the environment as a result of economic or other activities.

Ар-бир жааран жашоосу жана ден соолугу учун жаагымдуу болгон айлана-чойроого жана чарбалык же башка ишти же*узгө аныруунун натыйжасында айлана-чойроого
U. Laos

Constitutional provisions
N/A

Treaty provisions
Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions
N/A

V. Lebanon

Constitutional provisions
N/A

Treaty provisions
Party to the Arab Charter on Human Rights.

Legislative provisions

Article 3 of Law 444 issued on 29 July 2002 on Protection of the Environment

Every human being has the right to a healthy and stable environment, and it is the duty of every citizen to ensure the protection of the environment and to secure the current generation's needs without prejudice to the rights of the coming generations.

W. Malaysia

Constitutional provisions

In obiter dicta, Malaysian courts have held that the definition of “life” under Article 5(1) of the Federal Constitution of Malaysia, which states that “No person shall be deprived of his life or personal liberty save in accordance with law”, should be interpreted broadly and liberally, to include a right to a healthy environment. See Tan Teck Seng v Suruhanjaya Perkhidmatan Pendidikan [1996] 2 CLJ 771 (Court of Appeal).

Treaty provisions
Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions
N/A
X. Maldives

Constitutional provisions

Article 23(d) of the Constitution of the Republic of the Maldives

Every citizen has the following rights pursuant to this Constitution, and the State undertakes to achieve the progressive realization of these rights by reasonable measures within its ability and resources: ... (d) a healthy and ecologically balanced environment

Treaty provisions
N/A

Legislative provisions
N/A

Y. Marshall Islands

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A

Z. Micronesia (Federated States of)

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A
**AA. Mongolia**

**Constitutional provisions**

**Article 16.2 of the Constitution of Mongolia 1992**

The citizens of Mongolia shall have the right to a healthy and safe environment, and to be protected against environmental pollution and ecological imbalance.

Монгол Улсын иргэн эрүүл, аюулгуй орчин амьдрах, орчны бохирдол, байгалийн тэнцэл аладдаахаас хамгаалуулах эрхтэй.

**Treaty provisions**

N/A

**Legislative provisions**

**Law of Mongolia on Environmental Protection dated 30 March 1995**

**Article 1**

The purpose of this law is to regulate relations between the State, citizens, business entities and organisations to guarantee the human right to live in a healthy and safe environment, an ecologically balanced social and economic development, the protection of the environment for present and future generations, the proper use of natural resources and the restoration of available resources.

Энэ хуулийн зорилт нь хүний эрүүл, аюулгүй орчин амьдрах эрхийг зөрчөөр, нийгэм, эдийн засгийн хөгжлийг байгаль орны тэнцэлтэй уламлуулж, оноо болон ирээдүйн учийнхий ашиг сонирхлын үүдэнэ э байгаль орны хамгаалах, түүний баяцгийг захиргын ашиглахдаа, эмгэн бохирдлын тохиргоо, шинэ зохиолчийн усны хэрэглээг зөв хариулахад оршно.

**Article 4**

1. Citizens shall have the following rights in protecting the environment:

1) to bring claims for compensation for damage to their property or health resulting from adverse environmental impact against the person responsible for causing the damage;

2) to commence legal action against persons whose conduct may cause adverse environmental impact or jeopardise the enforcement of legislation on environmental protection;

3) to establish non-Governmental organisations and capital funds for protection of the environment;

4) to obtain accurate information about the environment from relevant organisations; and

5) to require relevant authorities to restrict or prohibit actions which may cause adverse environmental impacts and to prohibit the establishment of new business entities or organisations whose activities may cause adverse environmental impacts.

1. Иргэн байгаль орчны хамгаалах талаар дараах эрхийг ээлэнэ:

1/ээл буруутай этгээд байгаль орчны хөрөнгө нөлөөлсөн ажиллагаанаас эрүүл мэнд, эд хөрөнгөндөө учирсан хохирлыг түүнээнэөө нөхөн төлөлтөөр нэхэмжлэх;

2/байгаль орчны хамгаалах тухай хүний хөгжлийн зорчилдтой тэмцэх болон байгаль орчны хөрөнгө нөлөөлөөс этгээдз харцуулагат хүлээлж хялбардах, байгаль орчны учруулсан хохирлыг барагдуулаахар шуухэн нэхэмжлэл гарах;
BB. Myanmar

Constitutional provisions

N/A, although constitutional duties to protect the environment are provided for in Article 45 (applicable to the state) and Article 390 (applicable to citizens).

Treaty provisions

Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions

N/A

CC. Nauru

Constitutional provisions

N/A

Treaty provisions

N/A

Legislative provisions

N/A

DD. Nepal

Constitutional provisions

Article 30 of the Constitution of Nepal 2015

(1) Every citizen shall have the right to live in a clean and healthy environment.
(2) The victim shall have the right to obtain compensation, in accordance with law, for every injury caused from environmental pollution or degradation.
(3) The Article shall not be deemed to prevent the making of necessary legal provision for the proper balance between the environment and development, in development works of the nation.

Article 35 (4) of the Constitution of Nepal 2015

Every citizen shall have the right of access to clean drinking water and sanitation.
EE. Oman

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A

FF. Pakistan

Constitutional provisions
Although there is no express right to a healthy environment in the Constitution of Pakistan, Article 9 has been interpreted by the Supreme Court as conferring such a right. See Re: Human Rights Case (Environment Pollution in Baluchistan).


No person shall be deprived of life or liberty save in accordance with law.

Treaty provisions
N/A

Legislative provisions
N/A

GG. Palau

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions

Environmental Quality Protection Act 24 P.C.L. § 102(c)

The Olbiil Era Kelulau [Palauan national legislature] recognizes that each person has a fundamental right to a healthy environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
HH. Papua New Guinea

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A

II. Philippines

Constitutional provisions

Article II, Section 16 of the Constitution of the Philippines
The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Treaty provisions
Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions

Philippine Environmental Policy (Presidential Decree No. 1151, June 6, 1977)
In furtherance of these goals and policies, the Government recognizes the rights of the people to a healthful environment. It shall be the duty and responsibility of each individual to contribute to the preservation and enhancement of the Philippine environment.

Section 4 of the Clean Air Act of 1999
S. 4. Recognition of Rights.

Pursuant to the above-declared principles, the following rights of citizens are hereby sought to be recognized and the State shall seek to guarantee their enjoyment:

(a) The right to breathe clean air;
(b) The right to utilize and enjoy all-natural resources according to the principles of sustainable development;
(c) The right to participate in the formulation, planning, implementation, and monitoring of environmental policies and programs and in the decision-making process;
(d) The right to participate in the decision-making process concerning development policies, plans, programs, projects, or activities that may have adverse impact on the environment and public health;
(e) The right to be informed of the nature and extent of the potential hazard of any activity, undertaking, or project and to be served timely notice of any significant rise in the level of pollution and the accidental or deliberate release into the atmosphere of harmful or hazardous substances;
(f) The right of access to public records that a citizen may need to exercise his or her rights effectively under this Act;
(g) The right to bring action in court or quasi-judicial bodies to enjoin all activities in violation of environmental laws and regulations, to compel the rehabilitation and clean-up of affected
areas, and to seek the imposition of penal sanctions against violators of environmental laws; and

(h) The right to bring action in court for compensation of personal damages resulting from the adverse environmental and public health impact of a project or activity.

JJ. Qatar
Constitutional provisions
There is no explicit right to a healthy environment, although Article 33 of the Constitution requires the state to “protect the environment and its natural balance in order to achieve comprehensive and sustainable development for all generations”.

Treaty provisions
Party to the Arab Charter on Human Rights.

Legislative provisions
N/A

KK. Republic of Korea (South Korea)
Constitutional provisions

Article 35(1) of the Republic of Korea (1987)
All citizens shall have the right to a healthy and pleasant environment. The State and all citizens shall endeavor to protect the environment.

모든 국민은 건강하고 쾌적한 환경에서 생활할 권리를 가지며, 국가와 국민은 환경보전을 위하여 노력하여야 한다.

Treaty provisions
N/A

Legislative provisions
Art. 6 (1), Framework Act on Environmental Policy (1990)
Every citizen shall have the right to live in a healthy and agreeable environment.

모든 국민은 건강하고 쾌적한 환경에서 생활할 권리를 가진다

LL. Samoa
Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A
MM. Saudi Arabia

Constitutional provisions
No

Treaty provisions
Party to the Arab Charter on Human Rights.

Legislative provisions
Article No. 1 of the Gulf Cooperation Council (GCC) endorsed by Royal Decree No. M/3, dated 04-02-1421 H.

Every individual has the right for a safe environment that preserves his/her human dignity, but he/she has to take responsibility for preserving such environment for both that generation and upcoming generations within the framework of sustainable development concepts.

NN. Singapore

Constitutional provisions
Although there is no express right to a healthy environment yet recognized in Singaporean law, case law suggests that courts may interpret the right to life (Article 9 of the Constitution of Singapore) to encompass the right to live in a healthy environment. See Yong Vui Kong v Public Prosecutor [2015] 2 SLR 1129.

Treaty provisions
Party to the (non-binding) ASEAN Human Rights Declaration.

Legislative provisions
N/A

OO. Solomon Islands

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A
**PP. Sri Lanka**

**Constitutional provisions**

Sri Lankan courts have interpreted rights to equality (article 12) and freedom of speech, assembly, association, occupation and movement (article 14) as including a citizen’s right to a healthy environment and protection of the same. See *Bulankulama v Ministry of Industrial Development* 2000 3SLR 243 [SC(FR) Application No. 884/1999]; *Wijebanda v Conservator-General of Forests* 2009 1SLR 337 [SC, 2009, Application No. 118/2004]; *Kariyawasam v Central Environment Authority* [SC, Application No 141/2015].

**Article 12(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka**

*All persons are equal before the law and are entitled to the equal protection of the law.*

**Article 14(g) of the Constitution of the Democratic Socialist Republic of Sri Lanka**

*The freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise.*

**Article 27(14) of the Constitution of the Democratic Socialist Republic of Sri Lanka**

*The state shall protect, preserve and improve the environment for the benefit of the community.*

**Article 28(f) of the Constitution of the Democratic Socialist Republic of Sri Lanka**

*The exercise and enjoyment of rights and freedoms are inseparable from the performance of duties and obligations and accordingly, it is the duty of every person in Sri Lanka to protect nature and conserve its riches.*

**Treaty provisions**

N/A

**Legislative provisions**

N/A

**QQ. Syria**

**Constitutional provisions**

N/A

**Treaty provisions**

Party to the Arab Charter on Human Rights.

**Legislative provisions**

N/A

**RR. Tajikistan**

**Constitutional provisions**

N/A

**Treaty provisions**

**Legislative provisions**

**Article 12 of the Law of the Republic of Tajikistan on Protection of Environment dated 2 August 2011 No. 760**

1. Citizens of the Tajikistan Republic have the right to live in an environment favorable for their life and to use its resources, and to protection of the environment from negative effects caused by economic or other activity, and emergencies both natural and man-made.

Моддаи 12. Іусыс ва ўйдадорийи шаирвандон дар соиаи иифзи муїити зист

1. Шаирвандони Іуміурии Тоїикистон ба зиндагњ дар шароити барои саломатњ ва иаёт мусоид ва истифода аз незамтдии он, ба иифзи муїити зист аз таъсири номатлуни фаъолияти хойсидорњ ва дисар фаъолияят, іолатдии фавзулоддаи хусусияти табиъ ва техногенидошта іусыс доранд.

**Constitutional provisions**

**Section 43 of the Constitution of the Kingdom of Thailand B.E 2560 (2017)**

A person and a community shall have the right to:

manage, maintain and utilise natural resources, environment and biodiversity in a balanced and sustainable manner, in accordance with the procedures as provided by law;

The rights of a person and a community under paragraph one shall also include the right to collaborate with a local administrative organisation or the State to carry out such act.

**Treaty provisions**

**Party to the (non-binding) ASEAN Human Rights Declaration.**

**Legislative provisions**

**National Health Act B.E. 2550 (2007)**

Section 5. A person shall enjoy the right to live in a healthy environment and environmental conditions.

A person shall have duties in cooperation with State agencies in generating the environment and environmental conditions under paragraph one.

**Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 (1992)**

Section 6. For the benefit of contribution to the enhancement and conservation of national environmental quality, any individuals may have the following rights and duties:

Obtaining information and news from the government in matters related to the enhancement and conservation of environmental quality, except the information or news that the
government considers to be secrets pertaining to the protection of national security of secrets regarding the right to privacy, rights in property, or the rights in trade or business of a person which are duly protected by law;

Receiving damages or compensation from the State in the case of loss or harm suffered as a result of dispersion of pollutants or pollution, which is caused by an affair or a project initiated, supported, or undertaken by a government agency or state enterprise;

Making a complaint to government officials accusing an offender in the case of witnessing an act committed in infringement or violation of the laws relating to pollution control or conservation of natural resources;

Providing cooperation and assistance to government officials in carrying out the functions relating to the enhancement and conservation of environmental quality;

The implementing this Act or other laws that relate to the enhancement and conservation of environmental quality.

The utilisation and enforcement of this section shall comply with the provisions of this Act or those of related law.

Article 61 of the Constitution of the Democratic Republic of Timor-Leste

1. Everyone has the right to a humane, healthy, and ecologically balanced environment and the duty to protect it and improve it for the benefit of the future generations.

2. The State shall recognise the need to preserve and rationalise natural resources.

3. The State should promote actions aimed at protecting the environment and safeguarding the sustainable development of the economy.

TT. Timor-Leste

Constitutional provisions

Article 61 of the Constitution of the Democratic Republic of Timor-Leste

1. Todos têm direito a um ambiente de vida humano, sadio e ecologicamente equilibrado e o dever de o proteger e melhorar em prol das gerações vindouras.

2. O Estado reconhece a necessidade de preservar e valorizar os recursos naturais.

3. O Estado deve promover acções de defesa do meio ambiente e salvaguardar o desenvolvimento sustentável da economia.
Treaty provisions
N/A

Legislative provisions
Preamble of Decreto-Lei No. 26/2012, 26 June 2012 – Environmental Base Regulations

(...) The right to a clean and healthy environment is a universally recognised human right and, in this respect, the Constitution of the Democratic Republic of Timor-Leste regards environmental protection as a twofold perspective and considers it a fundamental task of the State and a fundamental right of citizens.

O direito a um ambiente limpo e saudável é um direito humano universalmente reconhecido e, neste campo, a Constituição da República Democrática de Timor-Leste, encara a proteção ambiental numa dupla perspectiva, considerando-a como uma tarefa fundamental do Estado e, simultaneamente, como um direito fundamental dos cidadãos.

UU. Tonga

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A

VV. Turkmenistan

Constitutional provisions

Article 53 of the Constitution of Turkmenistan

Every person has a right to favourable environmental conditions for life and health, true and accurate information on the environment and compensation for damage caused to health and property as a result of a violation of environmental laws, and natural disasters.

The State shall ensure the sustainable use of natural resources and the protection and preservation of the environment to ensure the protection and maintenance of healthy conditions for citizens.

Every person is obliged to protect nature and to take care of the environment and natural resources.

Her bir adamyň jany we saglygy üçin amatly daşky gursawa, onuň ýagdaýy barada hakyky magлumata we ekologiýa kanuncylygynyň bozulmagy ýa-da tebigy betbagçylyk netijesinde saglygyna we emlägine ýetirilen zyýanyň öweziniň dolunmagyna hukugy bardyr.

Döwlet ilatyň sagdyn ýaşaýyş şertlerini goramak we üpjün etmek, daşky gursawy goramak we onuň durnukly ýagdaýyny saklamak maksady bilen tebigy baýlyklaryň rejeli peýdalanylyşyna gözegçilik edýär.

Her bir adam tebigaty goramaga, daşky gursawa we tebigy baýlyklara aýawly çemeleşmäge borçludyń.
Treaty provisions

Legislative provisions
Article 10 of Law of Turkmenistan “On Environment Safety” No. 569-V dated 3 June 2017

1. Every citizen has a right to:
   a favourable living environment and environmental safety;
   true and accurate information on environmental safety at their place of residence;
   seek information from the state authority on environmental safety at their place of residence;
   exercise other rights and duties as prescribed by the law and other legislative acts of Turkmenistan.

2. Every citizen is obliged to:
   comply with the requirements of environmental safety laws of Turkmenistan;
   contribute to environmental safety;
   prevent threats to environmental safety.

Her bir raýatyň şulara hukugy bardyr:
ýaşaýyş we saglyk üçin amatly daşky gurşawa we ekologiýa howpsuzlygyna;
özüniň ýaşaýan ýerlerinde ekologiýa howpsuzlygynyň ýagdaýy baradaky ygtybarly maglumata;
özüniň ýaşaýan ýerlerinde ekologiýa howpsuzlygynyň ýagdaýy baradaky maglumaty almak meseleleri boýunça we ony üpjün etmegiň çäreleri boýunça döwlet häkimiýet edaralaryna we ýerli öz-özüňi dolandyryş edaralaryna ýüz tutmaga;
šu Kanuna we Türkmenistanyň beýleki kadalaşdyryjy hukuk namalaryna laýyklykda, beýleki hukuklary amala aşyrmaga. *

2. Her bir raýat şulara borçludyr:
ekologiýa howpsuzlygy hakynda Türkmenistanyň kanuncylygynyň talaplaryny berjaý etmäge;
döwletiň ekologiýa howpsuzlygynyň üpjün edilmegine ýardam etmäge;
özüniň günäşi bilen ýuze çykyp biljek, ekologiýa howpsuzlygyna abanýan howplaryň öňünü almaga.

WW. Tuvalu

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions
N/A
XX. United Arab Emirates

Constitutional provisions
N/A

Treaty provisions
Party to the Arab Charter on Human Rights.

Legislative provisions
N/A

YY. Uzbekistan

Constitutional provisions
N/A

Treaty provisions
N/A

Legislative provisions

Article 12. The human right to a favourable environment for life and the duty to preserve it:
Residents of the Republic of Uzbekistan have the right to live in a favourable environment for their health and the health of future generations, and to the protection of their health from the adverse effects of the environment.

For this purpose, residents of the Republic of Uzbekistan have the right to unite in public organisations for the protection of nature, to require and receive information about the state of the environment and measures taken to protect it.

12-модда. Инсоннинг яшики учун қулай атроф табиий муҳитга эга бўлиш ҳуккуқи ва бу муҳитни сақлаб қолиш борасидаги бурчи
Ўзбекистон Республикаси аҳолиси ўз саломатлиги ва келажак авлоднинг саломатлиги учун қулай табиий муҳитда яшиш, ўз саломатлигини атроф муҳитнинг зарарли таъсирлардан муҳофаза қилиш ҳуккуқи эга.
Ана шу максадда Ўзбекистон Республикаси аҳолиси табиатни муҳофаза қилиш бўйича жекамоат ташкилотларига бирлашиш, атроф табиий муҳитнинг аўволи ҳамда уни муҳофаза қилиш юзасидан кўрилаётган чора-таъдбирларга доир аҳборотларни талаб қилиш ва олиш ҳукку́ға эга.
Ўзбекистон Республикаси аҳолиси табийи ресурслардан оқизон фойдаланиши, табиат боийланишга эҳтиётлик билан муносабатда бўлиши, экология таълиматлари риоя этиши шарт.

ZZ. Vanuatu

Constitutional provisions
N/A

Treaty provisions
N/A
**AAA. Viet Nam**

**Constitutional provisions**

Everyone has the right to live in a clean environment and has the duty to protect the environment.

*Mọi người có quyền được sống trong môi trường trong lành và có nghĩa vụ bảo vệ môi trường.*

**Treaty provisions**

Party to the (non-binding) ASEAN Human Rights Declaration.

**Legislative provisions**

**Article 4 of the Law on Environmental Protection No. 55/2014**

1. Environmental protection is the responsibility and obligation of every agency, organization, family, household and individual.

2. Environmental protection must harmonize with the economic growth, social security, assurance about the children’s right, promotion of gender equality, development and conservation of biodiversity, response to climate changes, in order to ensure the human right to live in a pure environment.

**Điều 4. Nguyên tắc bảo vệ môi trường**

1. Bảo vệ môi trường là trách nhiệm và nghĩa vụ của mọi cơ quan, tổ chức, hộ gia đình và cá nhân.

2. Bảo vệ môi trường gắn kết hài hòa với phát triển kinh tế, an sinh xã hội, bảo đảm quyền trẻ em, thực đầy irt và phát triển, bảo tồn đa dạng sinh học, ứng phó với biến đổi khí hậu để bảo đảm quyền mọi người được sống trong môi trường trong lành.

**BBB. Yemen**

**Constitutional provisions**

N/A

**Treaty provisions**

Party to the Arab Charter on Human Rights.

**Legislative provisions**

**Article 4 (2) of the Environment Protection Law No. 26 of 1995**

Every individual has the basic right to live in a healthy and balanced environment that concurs and complies with the human being integrity which ensure intellectual, mental, physical and healthy growth, whereby each person natural and juridical adheres to and abides to the - protection of the environment and its natural resources and to prevent the damage to the environment and pollution control.

**مادة ٤ (٢) من قانون رقم ٢٦ لسنة ١٩٩٥ م بشأن حماية البيئة: كل مواطن حق أساسي في العيش في بيئة صحية ومتوازنة تتفق مع الكرامة الإنسانية تسمح له بالنمو الصحي الجسماني والعقلي والفكري... يلتزم كل شخص طبيعي ومعنوي بالمحافظة على البيئة ومواردها الطبيعية ومنع الأضرار البيئية ومكافحة التلوث.**