

History of Environmental Human Rights and U.S. Environmental Constitutionalism

1968

- The **Economic and Social Council** is the first major UN body to include environmental issues on their agenda. They proceed to plan the 1972 Stockholm Convention.

1970

- Illinois** adds the right to a healthful environment to its constitution, including stipulations of legal enforcement against public and private parties. This is the first substantive environmental right recognized in the United States.
- The United States celebrates the first Earth Day.

1971

- Pennsylvania** adds the right to clean air, pure water, and the preservation of environment to its Bill of Rights. This amendment names the state as trustee of these resources for present and future generations.

1972

- The UN holds the **Stockholm Convention aka the first "Earth Summit,"** declaring [man] has the fundamental right to freedom, equality, and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being.
- The United Nations Environmental Program (UNEP) is created.
- Montana** adds the right to a healthful environment to its Bill of Rights.
- Massachusetts** adds the substantive right to clean air and water to its constitution.

1987

- Hawai'i** adds the substantive right to a clean and healthful environment to its constitution.

1992

- The **UN Conference on Environment and Development** is held in Rio. Principle 1 of the Declaration on Environment and Development provides that human beings "are entitled to a healthy and productive life in harmony with nature," but the principle does not refer to a right.

2010

- The **Human Right to Water and Sanitation** is recognized by the UN.

2012

- John Knox** is named as the first UN Special Rapporteur for Human Rights and the Environment.

2015

- Our Children's Trust files ***Juliana v. United States*** on behalf of 21 youth plaintiffs from across the United States. This has been the most successful Atmospheric Trust Litigation filed in the US Federal Courts.

2020







- Held v. Montana*** is the first Atmospheric Trust Litigation filed in Montana State Court on behalf of 16 youth plaintiffs from across Montana. This case is supported by same legal team as *Juliana* and they are currently preparing for trial.

2021

- The UN Human Rights Council recognizes a **right to a safe, clean, healthy, and sustainable environment**.
- Special Rapporteurship for **Human Rights in the Context of Climate Change** is created.
- New York** adds the substantive right to clean air and water, and a healthful environment to its Bill of Rights.

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Fact Sheet

-  Pennsylvania, Montana, and New York are the only three states which have adopted substantive environmental rights amendments into their Bills of Rights.
-  Illinois, Massachusetts, and Hawai'i's amendments place their substantive environmental rights outside of their Bills of Rights.
-  The state constitutions of Virginia, North Carolina, Florida, Ohio, Alabama, Michigan, Mississippi, Louisiana, Minnesota, Colorado, New Mexico, Idaho, Utah, Oregon, and California, all contain environmental policy declarations.
-  Atmospheric Trust Litigation uses the property-based framework of the Public Trust Doctrine. It offers a macro approach to climate change by characterizing all nations on Earth as co-trustees of the atmosphere. As trustees, nations owe a fiduciary obligation to their citizen beneficiaries to restore a safe climate system.
-  The UN Special Rapporteur for Human Rights in the Context of Climate Change will be named in April 2022.
-  The UN Human Rights Council has invited the UN General Assembly to consider the Human Right to a Safe, Clean, Healthy and Sustainable Environment. Current Special Rapporteur for Human Rights and the Environment, David Boyd, hopes the General Assembly will pass a similar resolution by the end of 2023.