

**MID-TERM ESSAY 21 October – 31 October 13:00 (1:00p.m.) Oslo time**

On 28 July 2022, the UN General Assembly (UNGA) adopted resolution A/RES/76/300 on the human right to a clean, healthy and sustainable environment. The resolution is available [here](#). The text of the resolution is based on UN Human Rights Council (UNHRC) resolution 48/13 from 8 October 2021, available [here](#). The resolutions have been praised as both “landmark” and “historic”.

In the UNGA resolution, para. 1 states that the General Assembly:

“*Recognizes* the right to a clean, healthy and sustainable environment as a human right”

In the UNHRC resolution, para. 1 is formulated a little differently: “*Recognizes* the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights”. In both resolutions, para. 2 notes “that the right to a clean, healthy and sustainable environment is related to other rights and existing international law”.

Respond to **at least 2 of the 3** questions below, using legal sources and a legal method in your response:

1. Neither UN General Assembly resolutions nor UN Human Rights Council resolutions are legally binding. Discuss whether (and how) the resolutions can nevertheless have a legal impact.
2. **Assume**, for this question only, that a provision identical to the UN General Assembly resolution’s para. 1 is later adopted in a legally binding human rights convention, and **act on that assumption** to use the concepts of absolute/relative rights, positive/negative obligations, and immediate/progressive realization, to analyze the content of the provision.
3. Use one or several provisions in regional and/or international human rights treaties to argue that there already exists a legally binding and justiciable right to a clean, healthy and sustainable environment.