

*Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

**Human Rights and Sustainable Development:  
Harmonizing the Concepts for Environmental Justice**

---

**Kariuki Muigua**

*Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

**Table of Contents**

Abstract .....	3
1.0 Introduction.....	3
2.0 Human Rights and Sustainable Development.....	6
3.0 Towards Environmental Justice: Harmonizing Human Rights and Sustainable Development .....	8
4.0 Conclusion .....	12
References.....	17

# *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

## **Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice**

**Kariuki Muigua\***

### *Abstract*

*Human rights are key in the Sustainable Development agenda. Human rights are a necessary foundation for a peaceful, prosperous and sustainable world. The 2030 Agenda for Sustainable Development envisions a world of universal respect for human rights and human dignity' where using a human rights-based approach ensures that no one is left behind in development progress. Achieving the Sustainable Development agenda therefore also requires respect and protection of human rights. This paper critically explores the place of human rights in the Sustainable Development agenda. The paper argues that human rights are central in realizing Sustainable Development. It examines some of the human rights considerations in the Sustainable Development agenda. The paper proposes ways through which the concepts of human rights and Sustainable Development can be harmonized in order to foster Environmental Justice.*

### **1.0 Introduction**

The concept of Sustainable Development is an approach to development that looks to balance different, and often competing, needs against an awareness of the environmental, social and economic needs faced by the society<sup>1</sup>. It refers to development that meets the needs of the present without compromising the ability of future generations to meet their

---

\* PhD in Law (Nrb), FCIArb (Chartered Arbitrator), OGW, LL. B (Hons) Nrb, LL.M (Environmental Law) Nrb; Dip. In Law (KSL); FCPS (K); Dip. in Arbitration (UK); MKIM; Mediator; Consultant: Lead expert EIA/EA NEMA; BSI ISO/IEC 27001:2005 ISMS Lead Auditor/Implementer; ESG Consultant; Advocate of the High Court of Kenya; Professor at the University of Nairobi, Faculty of Law; Member of the Permanent Court of Arbitration (PCA) [June, 2024].

<sup>1</sup> Sustainable Development Commission., 'What is Sustainable Development' Available at <https://www.sd-commission.org.uk/pages/what-is-sustainable-development.html> (Accessed on 01/07/2024)

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

own needs<sup>2</sup>. Sustainable Development encompasses environmental conservation, economic development and social progress<sup>3</sup>.

It has been noted that where development is sustainable, everyone has access to decent work, quality health care and education<sup>4</sup>. In addition, natural resource use avoids pollution and permanent losses to the environment<sup>5</sup>. Further, public policy choices ensure that no one is left behind due to disadvantages or discrimination<sup>6</sup>. The focus of Sustainable Development is therefore far broader than just the environment<sup>7</sup>. It is also about ensuring a strong, healthy and just society<sup>8</sup>. This entails meeting the diverse needs of all people in existing and future communities, promoting personal wellbeing, social cohesion and inclusion, and creating equal opportunities for everyone<sup>9</sup>. Sustainable Development therefore ideally seeks to foster intra-generational equity, that is equity among present generations, and inter-generational equity, that is equity between generations<sup>10</sup>.

The ideal of Sustainable Development has been adopted as the global vision for development. The *2030 Agenda for Sustainable Development*<sup>11</sup>, adopted by all United

---

<sup>2</sup> World Commission on Environment and Development., 'Our Common Future.' Oxford, (Oxford University Press, 1987)

<sup>3</sup> Fitzmaurice. M., 'The Principle of Sustainable Development in International Development Law.' *International Sustainable Development Law.*, Vol 1

<sup>4</sup> United Nations., 'What is Sustainable Development?' Available at <https://www.un.org/sustainabledevelopment/blog/2023/08/what-is-sustainable-development/> (Accessed on 01/07/2024)

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> Sustainable Development Commission., 'What is Sustainable Development' Op Cit

<sup>8</sup> Ibid

<sup>9</sup> Ibid

<sup>10</sup> Weiss, E.B., "In Fairness to Future Generations and Sustainable Development," *American University International Law Review*, Vol.8, 1992

<sup>11</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 01/07/2024)

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership<sup>12</sup>. The SDGs recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth - all while tackling climate change and working to preserve our oceans and forests<sup>13</sup>.

Human rights are integral in the Sustainable Development agenda<sup>14</sup>. It has been noted that human rights are a necessary foundation for a peaceful, prosperous and sustainable world<sup>15</sup>. The 2030 Agenda for Sustainable Development envisions a world of universal respect for human rights and human dignity' where using a human rights-based approach ensures that no one is left behind in development progress<sup>16</sup>. Achieving the Sustainable Development agenda therefore also requires respect and protection of human rights<sup>17</sup>.

This paper critically explores the place of human rights in the Sustainable Development agenda. The paper argues that human rights are central in realizing Sustainable Development. It examines some of the human rights considerations in the Sustainable Development agenda. The paper proposes ways through which the concepts of human rights and Sustainable Development can be harmonized in order to foster Environmental Justice.

---

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> United Nations Development Programme., 'Human Rights for Sustainable Development' Available at <https://www.undp.org/rolhr/publications/human-rights-sustainable-development> (Accessed on 01/07/2024)

<sup>15</sup> Ibid

<sup>16</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Op Cit

<sup>17</sup> United Nations Development Programme., 'Human Rights for Sustainable Development' Op Cit

## **2.0 Human Rights and Sustainable Development**

It has been noted that achieving the Sustainable Development agenda requires a human rights approach<sup>18</sup>. The protection of human life in relation to life, health, culture and living standards is central to any social, environmental or economic programmes within the Sustainable Development agenda<sup>19</sup>. For example, the right to life cannot be realised without the basic right to clean water, air and land which are key themes under within the context of Sustainable Development<sup>20</sup>.

Promoting and protecting human rights is essential for ensuring Sustainable Development outcomes<sup>21</sup>. The 2030 Agenda for Sustainable Development sets out a vision for Sustainable Development grounded in the Universal Declaration of Human Rights and international human rights standards, putting equality and non-discrimination at the center<sup>22</sup>. The 2030 Agenda for Sustainable Development envisages a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination, of respect for race, ethnicity and cultural diversity; and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity<sup>23</sup>. It has been argued that leveraging the significant potential of human rights as a problem-solving tool for development challenges is key to achieving the transformative change needed for the wellbeing of people and planet towards Sustainable Development<sup>24</sup>. Human rights mechanisms provide key data and

---

<sup>18</sup> International Institute for Environment and Development., 'Environment and Human Rights: A New Approach to Sustainable Development' Available at <https://www.iied.org/sites/default/files/pdfs/migrate/11016IIED.pdf> (Accessed on 02/07/2024)

<sup>19</sup> Ibid

<sup>20</sup> Ibid

<sup>21</sup> United Nations Development Programme., 'Integrating Human Rights and Sustainable Development Systems to Leave No One Behind' Available at <https://www.undp.org/rolhr/publications/integrating-human-rights-and-sustainable-development-systems-leave-no-one-behind> (Accessed on 02/07/2024)

<sup>22</sup> Ibid

<sup>23</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Op Cit

<sup>24</sup> United Nations Development Programme., 'Integrating Human Rights and Sustainable Development Systems to Leave No One Behind' Op Cit



## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

### **3.0 Towards Environmental Justice: Harmonizing Human Rights and Sustainable Development**

Environmental justice has been defined as the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies<sup>33</sup>. Environmental justice has also been defined as the fair and equitable distribution of environmental benefits and burdens among all communities, regardless of their socioeconomic status or race<sup>34</sup>. It has also been noted that environmental justice entails the right to have access to natural resources; not to suffer disproportionately from environmental policies, laws and regulations; and the right to environmental information, participation and involvement in decision-making<sup>35</sup>. Environmental Justice is attained when every person enjoys the same degree of protection from environmental and health hazards and has access to the decision-making process to have a healthy environment<sup>36</sup>.

The concept of Environmental Justice has emerged in light of key environmental and social challenges facing humanity<sup>37</sup>. It has been noted that the world is facing a triple planetary crisis of climate change, biodiversity and ecosystem loss, and pollution<sup>38</sup>. These challenges undermine the enjoyment and protection of human rights and exacerbate environmental injustices since they disproportionately affect the most vulnerable,

---

<sup>33</sup> United States Environmental Protection Agency; 'Environmental Justice.' Available at <https://www.epa.gov/environmentaljustice> (Accessed on 02/07/2024)

<sup>34</sup> London. L et al., 'Environmental Justice: An International Perspective' *Encyclopedia of Environmental Health.*, 2011, pp 441-448

<sup>35</sup> Ako, R., 'Resource Exploitation and Environmental Justice: the Nigerian Experience,' in Botchway, F.N. (ed), *Natural Resource Investment and Africa's Development*, (Cheltenham, UK: Edward Elgar Publishing, 2011), pp. 74- 76

<sup>36</sup> United States Environmental Protection Agency; 'Environmental Justice.' Op Cit

<sup>37</sup> United Nations Development Programme., 'Environmental Justice' Available at <https://www.undp.org/rolhr/justice/environmental-justice> (Accessed on 02/07/2024)

<sup>38</sup> Ibid



## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

marginalized and excluded people and communities<sup>39</sup>. For example, it has been noted that that developing and least developed countries are the most affected by environmental problems such as climate change despite their little contribution to these challenges<sup>40</sup>. Further, disadvantaged and marginalized groups are severely impacted by environmental problems including climate change with less ability to adapt to their consequences<sup>41</sup>. As a result, environmental crises including climate change, loss of biodiversity, and pollution are intertwined with the crisis of inequality<sup>42</sup>.

Environmental Justice acknowledges current environmental injustices and seeks to address these concerns by eliminating environmental and structural inequalities and poverty which affect the most vulnerable people in the society<sup>43</sup>. The idea of environmental justice recognizes the relationship between abuse of human rights of various vulnerable communities and related damage to their environment<sup>44</sup>. This concept recognizes how discrimination and marginalization involves expropriating resources from vulnerable groups and exposing these communities to the ecological harms that result from use of those resources<sup>45</sup>. Environmental justice is premised on the human right to a healthy and safe environment, a fair share to natural resources, the right not to suffer disproportionately from environmental policies, regulations or laws, and reasonable access to environmental information, alongside fair opportunities to

---

<sup>39</sup> Ibid

<sup>40</sup> Sultana. F., 'Critical Climate Justice' Available at <https://www.farhanasultana.com/wpcontent/uploads/Sultana-Critical-climate-justice.pdf> (Accessed on 02/07/2024)

<sup>41</sup> Ibid

<sup>42</sup> United Nations Development Programme., 'Environmental Justice' Op Cit

<sup>43</sup> Pickup. F., 'Five Steps to Environmental Justice.' Available at <https://www.undp.org/blog/five-stepsenvironmental-justice> (Accessed on 02/07/2024)

<sup>44</sup> Muigua. K., 'Natural Resource Conflicts: Addressing Inter-Ethnic Strife through Environmental Justice in Kenya' Available at <https://kmco.co.ke/wp-content/uploads/2019/09/Natural-Resource-Conflicts-Addressing-Inter-Ethnic-Strife-Through-Environmental-Justice-in-kenya-Kariuki-Muigua-7th-September-2019.pdf> (Accessed on 02/07/2024)

<sup>45</sup> Ibid

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

participate in environmental decision-making<sup>46</sup>. It highlights the plight of vulnerable people and communities who bear the most burden when it comes to environmental damage and seeks to give them a voice through access to environmental information and participation in environmental decision making in order to ensure sustainable and equitable development<sup>47</sup>.

The ideal of Environmental Justice seeks to address distributive inequity, lack of recognition, disenfranchisement and exclusion in environmental decision making<sup>48</sup>. It aims to achieve the ideal of access, participation and procedural justice in environmental decision making<sup>49</sup>. Environmental Justice aims at ensuring that all people are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers<sup>50</sup>; and every person has equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices<sup>51</sup>.

The concepts of human rights and Sustainable Development are integral in the quest towards environmental justice<sup>52</sup>. It has been noted that environmental justice is inextricably linked to the protection and fulfilment of human rights and Sustainable Development<sup>53</sup>. It has been pointed out that the triple planetary crises of climate change,

---

<sup>46</sup> Ibid

<sup>47</sup> Muigua. K., Wamukoya. D., & Kariuki. F., 'Natural Resources and Environmental Justice in Kenya.' Glenwood Publishers Limited, 2015

<sup>48</sup> Schlosberg. D & Collins. L., 'From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice.' WIREs Clim Change 2014

<sup>49</sup> Ibid

<sup>50</sup> United States Environmental Protection Agency., 'Environmental Justice.' Op Cit

<sup>51</sup> Ibid

<sup>52</sup> United Nations Development Programme., 'Environmental Justice' Op Cit

<sup>53</sup> United Nations Development Programme., 'Promoting Environmental Justice: Securing Our Right to a Clean, Healthy and Sustainable Environment through UNDP Programming' Available at

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

nature loss, and pollution is directly and indirectly impacting human rights globally<sup>54</sup>. These challenges undermine the enjoyment and protection of human rights and exacerbate environmental injustices, disproportionately affecting the most vulnerable, marginalized and excluded people and communities<sup>55</sup>. Further, environmental challenges including the triple planetary crisis also act as threat multipliers, amplifying conflicts, tensions and structural inequalities<sup>56</sup>.

Environmental Justice therefore acknowledges that environmental challenges such as pollution, climate change, deforestation or the misuse of natural resources can impact on individuals' and communities' enjoyment of fundamental rights, including the right to health, the right to an adequate standard of living, the right to self-determination and the right to life itself<sup>57</sup>. These challenges can also impact on governments' capacity to protect and fulfil the rights of their citizens<sup>58</sup>. Environmental Justice therefore acknowledges that human rights and environmental protection are mutually supportive ideals<sup>59</sup>. Addressing environmental injustices therefore requires a human-rights based, multi-disciplinary approach that addresses immediate environmental justice needs and tackles the structural inequalities that cause and perpetuate environmental injustices<sup>60</sup>.

---

<https://www.undp.org/sites/g/files/zskgke326/files/2022-06/Environmental%20justice-Guidance%20Note.pdf> (Accessed on 02/07/2024)

<sup>54</sup> Ibid

<sup>55</sup> Ibid

<sup>56</sup> Ibid

<sup>57</sup> Lewis. B., 'Human Rights and Environmental Wrongs: Achieving Environmental Justice through Human Rights Law' *IJCJ* 2012 1(1): 65-73

<sup>58</sup> Ibid

<sup>59</sup> Ibid

<sup>60</sup> United Nations Development Programme., 'Environmental Justice and the Right to a Clean, Healthy and Sustainable Environment' Available at <https://www.undp.org/rolhr/human-rights/environmental-justice#:~:text=Addressing%20environmental%20injustice%20requires%20a,cause%20and%20perpetuate%20environmental%20injustice>. (Accessed on 02/07/2024)

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

Sustainable Development is also vital in fostering environmental justice<sup>61</sup>. At the core of Sustainable Development is the fulfillment of the basic needs of the current generation without compromising the capacity of the environment to provide similar benefits to future generations<sup>62</sup>. Sustainable Development can therefore foster environmental justice by promoting intra-generational equity, that is equity among present generations, and inter-generational equity, that is equity between generations<sup>63</sup>. Sustainable Development is vital in enhancing environmental justice by creating and maintaining the conditions under which humanity and nature can exist in productive harmony to support present and future generations<sup>64</sup>.

Human rights and Sustainable Development are therefore vital concepts in the environmental justice agenda. It is vital to harmonize these concepts in order to realize environmental justice.

### **4.0 Conclusion**

The concepts of human rights and Sustainable Development are pertinent in the environmental justice agenda. Environmental Justice acknowledges that human rights and environmental protection are mutually supportive ideals<sup>65</sup>. It recognizes that disadvantaged and marginalized groups are severely impacted by environmental problems including pollution and climate change with less ability to adapt to their consequences<sup>66</sup>. Environmental justice seeks to enhance human rights by ensuring that

---

<sup>61</sup> Kameri-Mbote. P., & Cullet. P., 'Environmental Justice and Sustainable Development: Integrating Local Communities in Environmental Management' Available at <https://www.ielrc.org/content/w9601.pdf> (Accessed on 02/07/2024)

<sup>62</sup> Ibid

<sup>63</sup> Weiss, E.B., "In Fairness to Future Generations and Sustainable Development," *American University International Law Review*, Vol.8, 1992

<sup>64</sup> United States Environmental Protection Agency., 'What is Sustainability.' Available at <https://www.epa.gov/sustainability/learn-about-sustainability> (Accessed on 02/07/2024)

<sup>65</sup> Lewis. B., 'Human Rights and Environmental Wrongs: Achieving Environmental Justice through Human Rights Law' Op Cit

<sup>66</sup> Sultana. F., 'Critical Climate Justice' Op Cit

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

all people are fully protected from disproportionate and adverse human health and environmental effects<sup>67</sup>. The concept of Sustainable Development can also foster environmental justice by promoting intra-generational equity, that is equity among present generations, and inter-generational equity, that is equity between generations<sup>68</sup>. It is therefore necessary to harmonize the concepts of human rights and Sustainable Development in order to achieve environmental justice.

It is therefore imperative to adopt a human rights based approach towards Sustainable Development<sup>69</sup>. The Human Rights-Based Approach (HRBA) is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights<sup>70</sup>. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress and often result in groups of people being left behind<sup>71</sup>. The 2030 Agenda for Sustainable Development envisions a world 'of universal respect for human rights and human dignity' where using a HRBA ensures that no one is left behind in development progress<sup>72</sup>. This approach is also key in achieving environmental justice by addressing distributive inequity, lack of recognition, disenfranchisement and exclusion in environmental decision making<sup>73</sup>. It can achieve the ideal of access, participation and procedural justice in environmental decision making towards Sustainable Development

---

<sup>67</sup> United States Environmental Protection Agency., 'Environmental Justice.' Op Cit

<sup>68</sup> Weiss, E.B., 'In Fairness to Future Generations and Sustainable Development' Op Cit

<sup>69</sup> United Nations Sustainable Development Group., 'Human Rights-Based Approach' Available at <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach> (Accessed on 02/07/2024)

<sup>70</sup> Ibid

<sup>71</sup> Ibid

<sup>72</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' Op Cit

<sup>73</sup> Schlosberg, D & Collins, L., 'From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice.' WIREs Clim Change 2014

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

and environmental justice<sup>74</sup>. A human rights approach allows the quality of life of people, in particular the most vulnerable, to be integrated into environmental decision making<sup>75</sup>.

It is also vital to secure the right to clean, healthy, and sustainable environment<sup>76</sup>. A safe, clean, healthy and sustainable environment is considered as a prerequisite to the full enjoyment of a wide range of human rights, including the rights to life, health, food, water and sanitation<sup>77</sup>. It has been noted that all people have the right to a clean, healthy and sustainable environment<sup>78</sup>. However, the global crises currently facing the planet, including climate change, the loss of biodiversity, and pollution, represent some of the biggest threats to humanity, severely affecting the exercise and enjoyment of human rights<sup>79</sup>. In order to realize the right to a clean, healthy and sustainable environment, it is imperative to address these challenges<sup>80</sup>. Ensuring that all communities can participate in decision-making processes and have access to information and justice in relation to environmental matters which are key tenets in environmental justice are paramount in securing the right to a clean, healthy and sustainable environment<sup>81</sup>. Achieving the right to a clean, healthy and sustainable environment is therefore key in fostering Sustainable Development and environmental justice.

---

<sup>74</sup> Ibid

<sup>75</sup> International Institute for Environment and Development., 'Environment and Human Rights: A New Approach to Sustainable Development' Op Cit

<sup>76</sup> United Nations Development Programme., 'Environmental Justice: Securing Our Right to a Clean, Healthy and Sustainable Environment' Available at <https://www.undp.org/publications/environmental-justice-securing-our-right-clean-healthy-and-sustainable-environment> (Accessed on 02/07/2024)

<sup>77</sup> Muigua. K., 'Recognising a Human Right to Safe, Healthy and Sustainable Environment.' Available at <http://kmco.co.ke/wp-content/uploads/2021/04/Recognising-a-Human-Right-to-Safe-Healthy-andSustainable-Environment-Kariuki-Muigua-1st-April-2021.pdf> (Accessed on 02/07/2024)

<sup>78</sup> Office of the United Nations High Commissioner for Human Rights., 'What is the Right to a Healthy Environment?' Available at <https://www.undp.org/sites/g/files/zskgke326/files/2023-01/UNDP-UNEP-UNHCHR-What-is-the-Right-to-a-Healthy-Environment.pdf> (Accessed on 02/07/2024)

<sup>79</sup> Ibid

<sup>80</sup> Ibid

<sup>81</sup> Ibid

## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

Finally, it is imperative to foster climate justice<sup>82</sup>. The idea of climate justice means putting equity and human rights at the core of decision-making and action on climate change<sup>83</sup>. Climate justice acknowledges the unequal historical responsibility that countries and communities bear in relation to the climate crisis<sup>84</sup>. This concept suggests that the countries, industries, businesses, and people that have become wealthy from emitting large amounts of greenhouse gases have a responsibility to help those affected by climate change, particularly the most vulnerable countries and communities, who often are the ones that have contributed the least to the crisis yet bear the most burden<sup>85</sup>. Climate justice is a subset of environmental justice and can enhance the achievement of the wider ideal of environmental justice<sup>86</sup>. It can achieve distributive justice which refers to the allocation of burdens and benefits among individuals, nations and generations; procedural justice which refers to who decides and participates in decision-making; and recognition which entails basic respect and robust engagement with and fair consideration of diverse cultures and perspectives in climate action<sup>87</sup>. Climate justice comprises justice that links development and human rights to achieve a rights-based approach to addressing climate change which is one of the major causes of environmental injustices<sup>88</sup>. Both environmental and climate justice emphasize the importance of empowering the people and groups that are particularly affected by and most at risk from environmental degradation including Indigenous Peoples, women, children, the elderly,

---

<sup>82</sup> Muigua. K., 'Fostering Climate Justice for Sustainable Development' Available at <https://kmco.co.ke/wp-content/uploads/2023/07/Fostering-Climate-Justice-for-Sustainable-Development.pdf> (Accessed on 02/07/2024)

<sup>83</sup> United Nations Development Programme., 'Climate Change is a Matter of Justice - Here's Why' Available at <https://climatepromise.undp.org/news-and-stories/climate-change-matter-justice-heres-why> (Accessed on 02/07/2024)

<sup>84</sup> Ibid

<sup>85</sup> Ibid

<sup>86</sup> Muigua. K., 'Fostering Climate Justice for Sustainable Development' Op Cit

<sup>87</sup> Ibid

<sup>88</sup> Ibid

*Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

persons with disabilities, and people living in poverty<sup>89</sup>. Achieving climate justice is therefore vital in enhancing the rights of these groups towards environmental justice<sup>90</sup>.

Harmonizing the concepts of human rights and Sustainable Development is a pertinent goal towards environmental justice.

---

<sup>89</sup> Ibid

<sup>90</sup> Ibid



## *Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

### References

Ako, R., 'Resource Exploitation and Environmental Justice: the Nigerian Experience,' in Botchway, F.N. (ed), *Natural Resource Investment and Africa's Development*, (Cheltenham, UK: Edward Elgar Publishing, 2011), pp. 74- 76

Fitzmaurice. M., 'The Principle of Sustainable Development in International Development Law.' *International Sustainable Development Law.*, Vol 1

International Institute for Environment and Development., 'Environment and Human Rights: A New Approach to Sustainable Development' Available at <https://www.iied.org/sites/default/files/pdfs/migrate/11016IIED.pdf>

Kameri-Mbote. P., & Cullet. P., 'Environmental Justice and Sustainable Development: Integrating Local Communities in Environmental Management' Available at <https://www.ielrc.org/content/w9601.pdf>

Lewis. B., 'Human Rights and Environmental Wrongs: Achieving Environmental Justice

London. L et al., 'Environmental Justice: An International Perspective' *Encyclopedia of Environmental Health.*, 2011, pp 441-448

Muigua. K., 'Fostering Climate Justice for Sustainable Development' Available at <https://kmco.co.ke/wp-content/uploads/2023/07/Fostering-Climate-Justice-for-Sustainable-Development.pdf>

Muigua. K., 'Natural Resource Conflicts: Addressing Inter-Ethnic Strife through Environmental Justice in Kenya' Available at <https://kmco.co.ke/wp-content/uploads/2019/09/Natural-Resource-Conflicts-Addressing-Inter-Ethnic-Strife-Through-Environmental-Justice-in-kenya-Kariuki-Muigua-7th-September-2019.pdf>

Muigua. K., 'Recognising a Human Right to Safe, Healthy and Sustainable Environment.' Available at <http://kmco.co.ke/wp-content/uploads/2021/04/Recognising-a-Human-Right-to-Safe-Healthy-andSustainable-Environment-Kariuki-Muigua-1st-April-2021.pdf>

Muigua. K., Wamukoya. D., & Kariuki. F., 'Natural Resources and Environmental Justice in Kenya.' Glenwood Publishers Limited, 2015

Office of the United Nations High Commissioner for Human Rights., 'What is the Right to a Healthy Environment?' Available at <https://www.undp.org/sites/g/files/zskgke326/files/2023-01/UNDP-UNEP-UNHCHR-What-is-the-Right-to-a-Healthy-Environment.pdf>

*Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

Pickup. F., 'Five Steps to Environmental Justice.' Available at <https://www.undp.org/blog/five-stepsenvironmental-justice>

Schlosberg. D & Collins. L., 'From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice.' WIREs Clim Change 2014

Sultana. F., 'Critical Climate Justice' Available at <https://www.farhanasultana.com/wpcontent/uploads/Sultana-Critical-climate-justice.pdf>

Sustainable Development Commission., 'What is Sustainable Development' Available at <https://www.sd-commission.org.uk/pages/what-is-sustainable-development.html>

Sustainable Development Goals Help Desk., 'Integrated Review and Reporting on SDGs and Human Rights' Available at [https://www.google.com/search?q=sustainable+development+and+human+rights&sc\\_a\\_esv=a5295d27d6bcd79&sca\\_upv=1&sxsrf=ADLYWIjiYxoo3Gap2FdBQZLeJIPERdhG1A%3A1719913443545&ei=48uDZuH5IiC9u8Pt4C6-AE&ved=0ahUKEwih9-LuiIiHAXUIgf0HHTeADh8Q4dUDCA8&uact=5&oq=sustainable+development+and+human+rights&gs\\_l=EGxnd3Mtd2l6LXNlcnAiKHN1c3RhaW5hYmxlIGRldmVsb3BtZW50IGFuZCBodW1hbiByaWdodHMMyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEdI6AFQAFgAcAF4AZABAjgBAKABAKoBALgBA8gBAJgCAaACCpgDAIgGAZAGCJIHATGgBwA&scient=gws-wiz-serp](https://www.google.com/search?q=sustainable+development+and+human+rights&sc_a_esv=a5295d27d6bcd79&sca_upv=1&sxsrf=ADLYWIjiYxoo3Gap2FdBQZLeJIPERdhG1A%3A1719913443545&ei=48uDZuH5IiC9u8Pt4C6-AE&ved=0ahUKEwih9-LuiIiHAXUIgf0HHTeADh8Q4dUDCA8&uact=5&oq=sustainable+development+and+human+rights&gs_l=EGxnd3Mtd2l6LXNlcnAiKHN1c3RhaW5hYmxlIGRldmVsb3BtZW50IGFuZCBodW1hbiByaWdodHMMyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEcyChAAGLADGNyEGEdI6AFQAFgAcAF4AZABAjgBAKABAKoBALgBA8gBAJgCAaACCpgDAIgGAZAGCJIHATGgBwA&scient=gws-wiz-serp)

United Nations Development Programme., 'Climate Change is a Matter of Justice – Here's Why' Available at <https://climatepromise.undp.org/news-and-stories/climate-change-matter-justice-heres-why>

United Nations Development Programme., 'Environmental Justice and the Right to a Clean, Healthy and Sustainable Environment' Available at <https://www.undp.org/rolhr/human-rights/environmental-justice#:~:text=Addressing%20environmental%20injustice%20requires%20a,cause%20and%20perpetuate%20environmental%20injustice.>

United Nations Development Programme., 'Environmental Justice: Securing Our Right to a Clean, Healthy and Sustainable Environment' Available at <https://www.undp.org/publications/environmental-justice-securing-our-right-clean-healthy-and-sustainable-environment>

United Nations Development Programme., 'Environmental Justice' Available at <https://www.undp.org/rolhr/justice/environmental-justice>

*Human Rights and Sustainable Development: Harmonizing the Concepts for Environmental Justice*

United Nations Development Programme., 'Human Rights for Sustainable Development' Available at <https://www.undp.org/rolhr/publications/human-rights-sustainable-development>

United Nations Development Programme., 'Integrating Human Rights and Sustainable Development Systems to Leave No One Behind' Available at <https://www.undp.org/rolhr/publications/integrating-human-rights-and-sustainable-development-systems-leave-no-one-behind>

United Nations Development Programme., 'Promoting Environmental Justice: Securing Our Right to a Clean, Healthy and Sustainable Environment through UNDP Programming' Available at <https://www.undp.org/sites/g/files/zskgke326/files/2022-06/Environmental%20justice-Guidance%20Note.pdf>

United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

United Nations Sustainable Development Group., 'Human Rights-Based Approach' Available at <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>

United Nations., 'What is Sustainable Development?' Available at <https://www.un.org/sustainabledevelopment/blog/2023/08/what-is-sustainable-development/>

United States Environmental Protection Agency., 'What is Sustainability.' Available at <https://www.epa.gov/sustainability/learn-about-sustainability>

United States Environmental Protection Agency; 'Environmental Justice.' Available at <https://www.epa.gov/environmentaljustice>

Weiss, E.B., "In Fairness to Future Generations and Sustainable Development," *American University International Law Review*, Vol.8, 1992

Weiss, E.B., "In Fairness to Future Generations and Sustainable Development," *American University International Law Review*, Vol.8, 1992

World Commission on Environment and Development., 'Our Common Future.' Oxford, (Oxford University Press, 1987)