



# RSPB NI Response to Consultation on a Bill of Rights for Northern Ireland

## Introduction

RSPB NI welcomes this consultation on a Bill of Rights for Northern Ireland.

If a Bill of Rights is introduced by the NI Assembly it must cover key areas such as the Aarhus Convention, including rights of access to environmental information, public participation in environmental decision making and access to justice on environmental matters.

Any Bill of Rights should prioritise sustainability, transparency and accountability.

We believe that we currently live in a society which does **not** adequately protect:

- **biodiversity**
- people's right to an environment that is not harmful to their health or wellbeing, including **clean air, water and soil**
- people's right to a healthy **climate** where their future is not put at risk by decisions relating to emissions.

## We are very conscious of precedents elsewhere

Environment and biodiversity have been included in Bill of Rights elsewhere internationally. South Africa, for example, has the following Article in its Bill of Rights (1994):

*Everyone has the right-*

- a. to an environment that is not harmful to their health or well-being; and*
- b. to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that-*
  - i. prevent pollution and ecological degradation;*
  - ii. promote conservation; and*
  - iii. secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

However such articles can potentially be ineffective due to an inability to make a practical difference. They should only be considered alongside clear legislative state responsibility for the restoring, conserving and enhancing of all biodiversity as well as ensuring clean air, water and soil.

'Getting Our Act Together' (NI Environment Link/ Human Rights Consortium) sets out how the environment overlaps with other key rights:

*"The rights to **food**, access to **clean water**, to the **countryside/green space** – all overlap with the environment.*

*"Some areas are particularly critical, such as the right to **clean air**. There was a particular emphasis on the vulnerability of **children** to poor air quality and rights of children to the highest standard of available health. This was also linked to the right to roam and to enjoy a healthy environment on an intergenerational level."*

## Conclusion

A Bill of Rights could potentially enshrine such rights in law, along with rights relating to the Aarhus Convention.

Before drawing up any proposals for a Bill of Rights it is vitally important that environmental issues such as **biodiversity** and **climate** are given full consideration and appropriate consultation is carried out with the environmental sector.

*For further information contact: Daithí McKay, RSPB, Belvoir Park Forest, Belfast BT8 7QT, email*

████████████████████