



Annex VI.**Recognition of the Right to a Healthy Environment in Constitutions,
Legislation and Treaties: Eastern European 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 Eastern European 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 for this project conducted 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.

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 who generously contributed their time and expertise to this research project on a pro bono basis.

Annex VI on the Issue of the Recognition of the Right to a Healthy Environment in Constitutions, Legislation and Treaties: Eastern European Region

Table of Contents

I. A chart summarizing the status of the right to a healthy environment in the constitutions, legislation, and regional treaties of States in the Eastern European Region..... 3

A. Albania 4

B. Armenia..... 4

C. Azerbaijan 5

D. Belarus..... 6

E. Bosnia & Herzegovina 7

F. Bulgaria..... 8

G. Croatia 10

H. Czechia..... 11

I. Estonia..... 12

J. Georgia..... 12

K. Hungary..... 14

L. Latvia 14

M. Lithuania 15

N. Montenegro 16

O. North Macedonia..... 17

P. Poland..... 18

Q. Republic of Moldova..... 18

R. Romania 20

S. Russian Federation 21

T. Serbia 23

U. Slovakia..... 24

V. Slovenia..... 26

W. Ukraine 27

I. A chart summarizing the status of the right to a healthy environment in the constitutions, legislation, and regional treaties of States in Eastern European Region

Country	National Constitution	International Treaty	National Legislation
Albania	No	Yes†	No
Armenia	No	Yes†	Yes
Azerbaijan	Yes	Yes†	Yes
Belarus	Yes	Yes†	Yes
Bosnia & Herzegovina	No**	Yes†	No**
Bulgaria	Yes	Yes†	Yes
Croatia	Yes	Yes†	Yes
Czechia	Yes	Yes†	Yes
Estonia	Yes*	Yes†	Yes*
Georgia	Yes	Yes†	Yes
Hungary	Yes	Yes†	Yes
Latvia	Yes	Yes†	Yes
Lithuania	Yes*	Yes†	Yes
Montenegro	Yes	Yes†	Yes
North Macedonia	Yes	Yes†	Yes
Poland	No	Yes†	No
Republic of Moldova	Yes	Yes†	Yes
Romania	Yes	Yes†	Yes
Russian Federation	Yes	No	Yes
Serbia	Yes	Yes†	Yes
Slovakia	Yes	Yes†	Yes
Slovenia	Yes	Yes†	Yes
Ukraine	Yes	Yes†	Yes

†Denotes state party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

* Denotes an implicit right. See country-specific notes for details.

** Denotes jurisdiction in which the right is not recognized at the national level but is recognized in all subnational federal jurisdictions.

A. Albania

Constitutional provisions

N/A

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

N/A

B. Armenia

Constitutional provisions

N/A. The right to a healthy environment was included in a previous iteration of the Constitution of Armenia (Article 33.2). Pursuant to two recent decrees (No. 1441-L of 10 October 2019 of the Government of Armenia and No. 1986-A of 30 December 2019 of the Prime Minister), a specialized commission for constitutional reforms has been launched which will discuss the possible re-introduction of the right to a healthy environment into the constitution of Armenia.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Article 5.1(1) of the Law on Environmental Impact Assessment and Expertise (HO-110-N 2014):

1. Evaluation and examination proceed as follows:

(1) The human right to a favorable environment for health, normal living, and creativity;

1. Գնահատումը եւ փորձաքննությունը ելնում են՝

1) առողջության, բնականոն ապրելու եւ ստեղծագործելու համար բարենպաստ շրջակա միջավայր ունենալու մարդու իրավունքից.

Law on Provision of Sanitary-Epidemiological Security of the Population

Article 8: *In their authority, the urban and regional municipal executive committees: [...]*

(6) Provide for the rights of the population on favourable environment.

Article 10

The citizens have rights to:

(1) Have a favourable environment and sanitary-epidemiological security;

(2) Obtain direct and complete information on the sanitary-epidemiological condition of the environment;

(3) Participation in the processes of decision-making, project development, discussion and acceptance concerning the provision of sanitary-epidemiological security of the population, and control their implementation;

(4) Receive reimbursement for the harm caused to their health as a result of violation of the sanitary regulation, according to statutes defined by the Government of the Republic of Armenia.

Յոդված 8.

Պատգամավորների շրջանային և հանրապետական ենթակայության քաղաքների քաղաքային խորհուրդների գործադիր կոմիտեներն իրենց իրավասության շրջանակներում [...] հրավերներ

6) ապահովում են բարենպաստ շրջակա միջավայրի նկատմամբ քաղաքացիների իրավունքների իրացման պայմանները:

Յոդված 10.

Քաղաքացիներն ունեն`

(1) բարենպաստ շրջակա միջավայրի և սանիտարահամաճարակային անվտանգության ապահովման իրավունք.

(2) շրջակա միջավայրի սանիտարահամաճարակային իրադրության վերաբերյալ հավաստի և ամբողջական տեղեկատվության և իրազեկման իրավունք.

(3) պետական մարմինների` բնակչության սանիտարահամաճարակային անվտանգության ապահովմանը վերաբերող որոշումների և ծրագրերի մշակմանը, քննարկմանն ու ընդունմանը, սահմանված կարգով, մասնակցելու և դրանց իրականացումը վերահսկելու իրավունք.

(4) սանիտարական կանոնների խախտման հետևանքով իրենց առողջությանը հասցված վնասի փոխհատուցում ստանալու իրավունք` Հայաստանի Հանրապետության կառավարության կողմից սահմանված կարգով:

C. Azerbaijan

Constitutional provisions

Article 39 of the of the Constitution of Azerbaijan:

Article 39. Right to live in a healthy environment

I. Everyone has the right to live in healthy environment.

II. Everyone has the right to gain information about true ecological situation and to get compensation for damage done to his/her health and property because of violation of ecological requirements.

III. No one may cause threat or damage to the environment and natural resources to the extent that it is higher than the limit prescribed by law.

IV. The state guarantees the preservation of ecological balance and protection of the species of wild plants and animals determined by law.

Maddə 39. Sağlam ətraf mühitdə yaşamaq hüququ

I. H. ətraf mühitdə yaşamaq hüquququon of ecological b

II. HI. ətraf mühitdə yaşamaq hüquququon of ecological balance and protection of the species of wild ponun sağlamlığına vaşamaq hüquququon of ecological balance and protection.

III. Heç ksağlamlığına vaşamaq hüquququon of ecological balance and protection of the species of wild plants and animals dp

IV. Dövlksağlamlığına vaşamaq hüquququon of ecologicaltkilksağlamlığına vaşamaq hüquququon.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Article 6 of the Law on Environmental Protection of the Republic of Azerbaijan No. 678 - IQ dated 8 June 1999

Article 6 Rights and duties of individuals in the field of the environmental protection

1. Each citizen of the Republic of Azerbaijan, individuals without citizenship and citizens of foreign states has the right to: [...]

1.2. receive compensation for damages caused to their health and property following breach of legislation on environmental protection.

1.3. live in the natural environment favorable to his / her health and life.

Maddə 6. Ətraf mühitin mühafizəsi sahəsində vətəndaşların hüquqları və vəzifələri

1. Ətraf mühitin mühafizəsi sahəsində vətəndaşların, vətəndaşlığı olmayan şəxslərin və əcnəbilərin (bundan sonra vətəndaşların) hüquqları: [...]

1.2 ətraf mühitin mühafizəsi haqqında qanunvericiliyin pozulması nəticəsində onların sağlamlığına və əmlakına vurulan zərərə görə ödənc almaq;

1.3 sağlamlıq və həyat üçün əlverişli olan ətraf təbii mühitdə yaşamaq;

Article 5 of the Law on Sanitary and Epidemiological Well-being of the Republic of Azerbaijan No. 37-IQ dated 10 November 1992

Article 5. Right of citizens of the Republic of Azerbaijan to live in a favorable environment

Citizens of the Republic of Azerbaijan have the right to live in a favourable environment that does not adversely affect the health of present and future generations and ensures their sanitary-epidemiological well-being. [...]

Maddə 5. Azərbaycan Respublikası vətəndaşlarının əlverişli ətraf mühitdə yaşamaq hüququ

Azərbaycan Respublikasının vətəndaşları indiki və gələcək nəsillərin səhhətinə mənfi təsir göstərməyən və onların sanitariya-epidemioloji salamatlığını təmin edən əlverişli ətraf mühitdə yaşamaq hüququna malikdirlər [...]

D. Belarus

Constitutional provisions

Article 46 of the Constitution of Belarus

Everyone shall be entitled to a favourable environment and to compensation for loss or damage caused by the violation of this right.

The State shall supervise the rational utilisation of natural resources to protect and improve living conditions and to preserve and restore the environment.

Государство осуществляет контроль за рациональным использованием природных ресурсов в целях защиты и улучшения условий жизни, а также охраны и восстановления окружающей среды.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Article 14 of the Law of the Republic of Belarus On Environmental Protection of 26 November 1992 No 1982-XII

The right to a favourable environment belongs to every citizen since birth and is subject to protection as a personal non-property right that is not connected with property in the order established by the legislation of the Republic of Belarus. The moral harm caused to the citizen by the infringement of his right to a favourable environment is subject to compensation in accordance with the legislation of the Republic of Belarus.

Право на благоприятную окружающую среду принадлежит гражданину от рождения и подлежит защите как личное немущественное право, не связанное с имуществом, в порядке, установленном законодательством Республики Беларусь.

Моральный вред, причиненный гражданину нарушением его права на благоприятную окружающую среду, подлежит компенсации в соответствии с законодательством Республики Беларусь

E. Bosnia & Herzegovina

Environmental protection is dealt with at the subnational level. All three subnational jurisdictions protect the right to a healthy environment.

Constitutional provisions

Article 35 of the Constitution of the Republic of Srpska

A human being has the right to a healthy environment. Everyone, in accordance with the law, is obliged to protect and improve the environment within their capabilities.

Čovjek ima pravo na zdravu životnu sredinu. Svako je, u skladu sa zakonom, dužan da u okviru svojih mogućnosti štiti i unapređuje životnu sredinu.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Brcko District – Article 3 of the Law on Environmental Protection No. 24/04, 01/05, 19/07, 09/09

Every person has the right to a healthy and ecologically acceptable environment as a basic constitutional right.

Every human being is entitled to a life in the environment suitable for health and well-being, therefore it is individual and collective responsibility to protect and improve the environment for the benefit of present and future generations.

Svaka osoba ima pravo na zdravu i ekološki prihvatljivu životnu sredinu kao osnovno ustavno pravo.

Svako ljudsko biće ima pravo na život u životnoj sredini koja je podobna za zdravlje i blagostanje, stoga je lična i kolektivna obaveza da se zaštiti i poboljša životna sredina za dobrobit sadašnjih i budućih generacija.

Federation of Bosnia and Herzegovina – Article 3 of the Law on Environmental Protection No. 33/03-1592, 38/09-1

Every person has the right to a healthy and ecologically acceptable environment as a basic constitutional right.

Every human being is entitled to a life in the environment suitable for health and well-being, therefore it is individual and collective responsibility to protect and improve the environment for the benefit of present and future generations.

Pravo na okoliš

Svako lice ima pravo na zdrav i ekološki prihvatljiv okoliš kao osnovno ustavno pravo.

Svako ljudsko biće ima pravo na život u okolišu podobnom za zdravlje i blagostanje, stoga je individualna i kolektivna dužnost zaštititi i poboljšati okoliš za dobrobit sadašnjih i budućih generacija.

Republic of Srpska – Article 3 of the Law on Environmental Protection No. 21/92

1. Every person has the right to a healthy and ecologically acceptable environment.

2. Every human being is entitled to a life in the environment suitable for health and well-being, therefore it is individual and collective responsibility to protect and improve the environment for the benefit of present and future generations.

1. Svako lice ima pravo na zdravu životnu sredinu.

2. Svako lice ima pravo na život u životnoj sredini podobnoj za zdravlje i blagostanje, te je individualna i kolektivna obaveza da se zaštiti i poboljša životna sredina za dobrobit sadašnjih i budućih generacija.

F. Bulgaria

Constitutional provisions

Article 55 of the Constitution of Bulgaria

Citizens shall have the right to a healthy and favourable environment in accordance with the established standards and norms. They shall be obligated to protect the environment.

Гражданите имат право на здравословна и благоприятна околна среда в съответствие с установените стандарти и нормативи. Те са длъжни да опазват околната среда.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Environmental Protection Act, State Gazette Issue 91 of 2002 (as amended)

Article 1. This Act shall regulate the social relations with regard to:

1. protection of the environment for the present and future generations and protection of human health; [...]

11. the rights and the obligations of the State, the municipalities, the legal and natural persons in respect of environmental protection.

Чл. 1. *Този закон урежда обществените отношения, свързани със:*

1. опазването на околната среда за сегашните и бъдещите поколения и защитата на здравето на хората; [...]

11. правата и задълженията на държавата, общините, юридическите и физическите лица по опазването на околната среда.

G. Croatia

Constitutional provisions

Article 70 of the Constitution of Croatia

(1) Everyone shall have the right to a healthy life.

(2) The state shall ensure conditions for a healthy environment.

(3) Everyone shall, within the scope of his/her powers and activities, accord particular attention to the protection of human health, nature and the human environment.

(1) Svatko ima pravo na zdrav život.

(2) Država osigurava uvjete za zdrav okoliš.

(3) Svatko je dužan, u sklopu svojih ovlasti i djelatnosti, osobitu skrb posvećivati zaštiti zdravlja ljudi, prirode i ljudskog okoliša.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Article 19(2) of the Environmental Protection Act (Official Gazette 80/13, 153/13, 78/15, 12/18, 118/18)

(2) For the purpose of protecting the right to a healthy life and environment, a person (citizen or other natural legal person, their groups, associations and organisations) who proves the legitimacy of his legal interest and a person who due to the location of the project and/or due to the nature and/or impact of the project can prove in accordance with the law that his rights have been permanently violated, shall have the right to contest the procedural and substantive legality

of decisions, acts or oversights of public authorities before the competent body and/or competent court, in accordance with the law.

(2) U svrhu zaštite prava na zdrav život i održiv okoliš te u svrhu zaštite okoliša i pojedinih sastavnica okoliša i zaštite od štetnog utjecaja opterećenja, osoba koja učini vjerojatnim svoj pravni interes i osoba koja zbog lokacije zahvata i/ili zbog prirode i/ili utjecaja zahvata može, u skladu sa zakonom, dokazati da joj je trajno narušeno pravo, ima pravo osporavati postupovnu i materijalnu zakonitost odluka, čina i propusta tijela javne vlasti putem nadležnog tijela i/ili nadležnog suda, u skladu sa zakonom.

H. Czechia

Constitutional provisions

Charter of Fundamental Rights and Freedoms, Act No. 22/1993 Coll.

Article 35:

(1) Everyone has the right to a favorable environment.

(2) Everyone has the right to timely and complete information about the state of the environment and natural resources.

(3) No one may, in exercising her rights, endanger or cause damage to the environment, natural resources, the wealth of natural species, or cultural monuments beyond the extent set by a law. [...]

Article 41:

(1) The rights listed in Article 26, Article 27, par.4, Articles 28 to 31, Article 32, pars.1 and 3, and Articles 33 and 35 of the Charter may be claimed only within the scope of the laws implementing these provisions.

(1) Každý má právo na příznivé životní prostředí.

(2) Každý má právo na včasné a úplné informace o stavu životního prostředí a přírodních zdrojů.

(3) Při výkonu svých práv nikdo nesmí ohrožovat ani poškozovat životní prostředí, přírodní zdroje, druhové bohatství přírody a kulturní památky nad míru stanovenou zákonem. [...]

(1) Práv uvedených v čl. 26, čl. 27 odst. 4, čl. 28 až 31, čl. 32 odst. 1 a 3, čl. 33 a 35 Listiny je možno se domáhat pouze v mezích zákonů, které tato ustanovení provádějí.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Legislative provisions

Act No. 89/2012 Coll., Civil Code

(2) Life and dignity of an individual, his health and the right to live in a favourable environment, his respect, honour, privacy and expressions of personal nature enjoy particular protection.

(2) Ochrany požívají zejména život a důstojnost člověka, jeho zdraví a právo žít v příznivém životním prostředí, jeho vážnost, čest, soukromí a jeho projevy osobní povahy.

I. Estonia

Constitutional provisions

In the **decision of June 2010, Case No. 3-3-1-101-09**, the Estonian Supreme Court found that while there is no “subjective right” to a healthy environment, the right to demand preservation of the environment derives from other fundamental rights (such as sections 5 and 53 of the Estonian Constitution) and is protected by certain general procedural rights.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Section 23(1) of the General Part of the Environmental Code Act

(1) Everyone is entitled to expect that the environment concerning them directly meets the health and well-being needs.

(1) Igaühel on õigus tervise- ja heaoluvajadustele vastavale keskkonnale, millega tal on oluline puutumus.

J. Georgia

Constitutional provisions

Article 29 of the Constitution of Georgia

1. Everyone has the right to live in a healthy environment and enjoy the natural environment and public space. Everyone has the right to receive full information about the state of the environment in a timely manner. Everyone has the right to care for the protection of the environment. The right to participate in the adoption of decisions related to the environment shall be ensured by law.

2. Environmental protection and the rational use of natural resources shall be ensured by law, taking into account the interests of current and future generations.

1. ყველას აქვს უფლება ცხოვრობდეს ჯანმრთელობისთვის უვნებელ გარემოში, სარგებლობდეს ბუნებრივი გარემოთა და საჯარო სივრცით ყველას აქვს უფლება დროულად მიიღოს სრულ ინფორმაცია გარემოს მდგომარეობის შესახებ. ყველას აქვს უფლება ზრუნავდეს გარემოს დაცვაზე. გარემოს დაცვით საკითხებთან დაკავშირებულ გადაწყვეტილებების მიღებაში მონაწილეობის უფლება უზრუნველყოფილია კანონით

2. ახლანდელ და მომავალ თაობების ინტერესების გათვალისწინებით გარემოს დაცვა და ბუნებრივი რესურსებით რაციონალური სარგებლობა უზრუნველყოფილია კანონით

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 6 of the Law of Georgia on the Protection of Environment (approved 24 August 1995 and entered into force November 1995)

- a) live in an environment that is harmless and sound for their health;
- b) use the natural environment;
- c) receive complete, objective and timely information on the condition of their working and living environment;
- d) receive environmental protection and ecological education and raise their environmental awareness;
- e) join public environmental protection organisations;
- f) participate in the process of the discussion and making of important decisions in the field of environmental protection;
- g) receive compensation for damage caused to them due to non-compliance with the requirements of the environmental legislation of Georgia;
- h) require, through court proceedings, changes to decisions made on the location, design, construction, reconstruction and operation of environmentally dangerous facilities.

მ უნ ლთ 6. მ ოქ ა ლო ქ ე თ ა უ ფ ლ უ ბ ე ბ ი გ ა რ ე მ ო ს დ ა ც ვ ი ს ს ფ ე რ ო შ ი

მ ოქ ა ლო ქ ე ს უ ფ ლ უ ბ ა ა ქ ვ ს :

- ა) ც ბ ო ვ რ ო ბ დ ე ს თ ა ვ ი ს ი ჯ ა ნ მ რ თ ე ლ ო ბ ი ს ა თ ვ ი ს უ ვ ნ ე ბ ე ლ ო ჯ ა ნ ს ა ლ გ ა რ ე მ ო შ ი ;
- ბ) ს ა რ გ ე ბ ლ ო ბ დ ე ს ბ უ ნ ე ბ რ ი ვ ი გ ა რ ე მ ო თ ა ;
- გ) მ ი ი ლ ო ს ს რ უ ლ თ , ო ბ ი ე ქ ტ უ რ ი დ ა დ რ ო უ ლ თ ი ნ ფ ო რ მ ა ც ი ა თ ა ვ ი ს ი ს ა მ უ შ ა ო დ ს ა ც ბ ო ვ რ ე ბ ე ლ თ გ ა რ ე მ ო ს მ დ გ ო მ ა რ ე ო ბ ი ს შ ე ს ა ხ ე ბ ;
- დ) მ ი ი ლ ო ს გ ა რ ე მ ო ს დ ა ც ვ ი თ დ ა ე კ ო ლ ო გ ი უ რ ი გ ა ნ ა თ ლ უ ბ ა , ა ი მ ა ლ ლ ო ს გ ა რ ე მ ო ს დ ა ც ვ ი თ ც ნ ო ბ ი ე რ ე ბ ი ს დ ა ნ ე ;
- ე) გ ა ე რ თ ა ნ დ ე ს გ ა რ ე მ ო ს დ ა ც ვ ი თ ს ა ზ ო გ ა დ ო ე ბ რ ი ვ ო რ გ ა ნ ი ზ ა ც ი ე ბ შ ი ;
- ვ) მ ო ნ ა წ ი ლ უ ო ბ ა მ ი ი ლ ო ს გ ა რ ე მ ო ს დ ა ც ვ ი თ ს ფ ე რ ო შ ი მ ნ ი შ ვ ნ ე ლ ო ვ ა ნ ი გ ა დ ა წ ყ ვ ე ტ ი ლ უ ბ ე ბ ი ს გ ა ნ ხ ი ლ ა ს ა დ ა მ ი ლ ე ბ ი ს პ რ ო ც ე ს შ ი ;
- ზ) მ ი ი ლ ო ს ა ნ ა ზ ლ ა უ რ ე ბ ა მ ი ს თ ვ ი ს მ ი ყ ე ნ ე ბ უ ლ თ ზ ა რ ა ლ ს ა თ ვ ი ს , რ ო მ ე ლ ც გ ა მ ო ი წ ვ ი ა ს ა ქ ა რ თ ე ლ ო ს გ ა რ ე მ ო ს დ ა ც ვ ი ს კ ა ნ ო ნ მ დ ე ბ ლ ო ბ ი ს მ ო თ ნ ო ვ ნ ა თ ა შ ე უ ს რ უ ლ უ ბ ლ ო ბ ა მ ;
- თ) ს ა ს ა მ ა რ თ ლ ო რ ე ს ი თ მ ო ი თ ნ ო ვ ო ს ე კ ო ლ ო გ ი უ რ ა დ ს ა შ ი შ ი ო ბ ი ე ქ ტ ე ბ ი ს გ ა ნ თ ა ვ ს ე ბ ი ს , პ რ ო ე ქ ტ ი რ ე ბ ი ს , მ შ ე ნ ე ბ ლ ო ბ ი ს , რ ე კ ო ნ ს ტ რ უ ქ ც ი ი ს ა დ ა ე ქ ს პ ლ ო ა ტ ა ც ი ი ს შ ე ს ა ხ ე ბ გ ა დ ა წ ყ ვ ე ტ ი ლ უ ბ ა თ ა შ ე ც ვ ლ ა .

K. Hungary

Constitutional provisions

Article XXI (1) of the Fundamental Law of Hungary

(1) Hungary recognises and gives effect to the right of all to a healthy environment.

(1) Magyarország elismeri és érvényesíti mindenki jogát az egészséges környezethez.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Act LIII of 1995 on the General Rules of Environmental Protection Section 1(2)

In accordance with the principles of calculation and the fair sharing of burdens, this Act creates an adequate framework for the enforcement of constitutional rights for a healthy environment and promotes ...[...]

(b) The protection of human health and the quality of life;

(2) A törvény a kiszámíthatóság és a méltányos teherviselés elve szerint megfelelő kereteket teremt az egészséges környezethez való alkotmányos jogok érvényesítésére és elősegíti [...]

b) az emberi egészség védelmét, az életminőség környezeti feltételeinek javítását;

L. Latvia

Constitutional provisions

Article 115 of the Latvian Constitution

The State shall protect the right of everyone to live in a benevolent environment by providing information about environmental conditions and by promoting the preservation and improvement of the environment.

The Constitutional Court of Latvia has held that Article 115 of the Constitution comprises both a state duty to protect the environment, and an individual's subjective right to live in a benevolent environment. See **Case No. 2006-09-03 of 8 February 2007** ("*Spatial Plan of the Garkaine Parish*"); **Case No. 2007-12-2007 of 21 December 2007** ("*Compliance of the Port of Ādaži Spatial Plan*"). *Valsts aizsargā ikviena tiesības dzīvot labvēlīgā vidē, sniedzot ziņas par vides stāvokli un rūpējoties par tās saglabāšanu un uzlabošanu.*

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Section 6 of the Environmental Protection Law

Each private person, also associations, organisations and groups of persons (hereinafter – public) has the right:

1) to request that the State institutions and local governments, officials or private persons terminate such acts or omissions, which deteriorate the quality of the environment, harm human health or endangers life, legal interests or the property thereof;

2) to support measures of environmental protection and to co-operate with the State institutions and local governments in order to prevent realisation of such activities, also taking of such decisions, which may deteriorate the quality of the environment or contradict with the requirements of the regulatory enactments regarding the environment;

3) to provide information to the State institutions and local governments regarding the activities and measures which affect or may affect the quality of the environment, as well as information regarding negative changes observed in the environment which have originated as a result of such activities or measures; and

4) to submit proposals regarding the legal order and draft documents developed in the environmental field to the State institutions and local governments.

Ikvienai privātpersonai, kā arī personu apvienībām, organizācijām un grupām (turpmāk — sabiedrība) ir tiesības:

1) prasīt, lai valsts iestādes un pašvaldības, amatpersonas vai privātpersonas izbeidz tādu darbību vai bezdarbību, kas pasliktina vides kvalitāti, kaitē cilvēku veselībai vai apdraud viņu dzīvību, likumiskās intereses vai īpašumu;

2) atbalstīt vides aizsardzības pasākumus un sadarboties ar valsts iestādēm un pašvaldībām, lai nepieļautu tādu darbību veikšanu, arī tādu lēmumu pieņemšanu, kas var pasliktināt vides kvalitāti vai ir pretrunā ar vides normatīvo aktu prasībām;

3) sniegt informāciju valsts iestādēm un pašvaldībām par darbībām un pasākumiem, kas ietekmē vai var ietekmēt vides kvalitāti, kā arī ziņas par vidē novērotajām negatīvajām pārmaiņām, kas radušās šādu darbību vai pasākumu dēļ;

4) iesniegt valsts iestādēm un pašvaldībām priekšlikumus par tiesisko regulējumu un izstrādātajiem dokumentu projektiem vides jomā.

M. Lithuania

Constitutional provisions

Article 54 of the Constitution of Lithuania

The State shall take care of the protection of the natural environment, wildlife and plants, individual objects of nature, and areas of particular value, and shall supervise the sustainable use of natural resources, as well as their restoration and increase.

The destruction of land and subsurface, the pollution of water and air, radioactive impact on the environment, as well as the of wildlife and plants, shall be prohibited by law.

In **Case No. 11/90 of 1 June 1998**, the Lithuanian Constitutional Court found that Article 54 of the Constitution contained an implied “human right to a healthy and clean environment”. In **Case No. 3K-3-112/2013 of 16 January 2013**, the Supreme Court of Lithuania found that “It should be noted that a person's right to a healthy environment is a prerequisite for a dignified life and for the exercise of many other constitutional rights, and therefore, if actions (inaction) that violate this

right are detected, the court must defend it ... The right to a safe and clean environment is a constitutional right guaranteed to all individuals, it is granted without requiring compliance with special requirements (for example, to have property rights, to belong to an entity protecting the environmental rights or to comply with similar conditions) and therefore the court must defend this right in case of violation. ... Ensuring the right to a healthy and clean environment as one of the objectives of state activities is also a public interest." *Valstybė rūpinasi natūralios gamtinės aplinkos, gyvūnijos ir augalijos, atskirų gamtos objektų ir ypač vertingų vietovių apsauga, prižiūri, kad su saiku būtų naudojami, taip pat atkuriami ir gausinami gamtos ištekliai.*

Įstatymu draudžiama niokoti žemę, jos gelmes, vandenį, teršti vandenį ir orą, daryti radiacinį poveikį aplinkai bei skurdinti augaliją ir gyvūniją.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 2 of the Law on Environmental Protection of the Republic of Lithuania (Law No. I-2223 21 January 1992, last amended 14 May 2015 – No. XII-1718)

This Law shall regulate public relations in the field of environmental protection, establish the principal rights and duties of legal and natural persons in preserving the biodiversity, ecological systems and landscape characteristic of the Republic of Lithuania, ensuring a healthy and clean environment, rational utilisation of natural resources in the Republic of Lithuania, the territorial waters, continental shelf and economic zone thereof.

Šis įstatymas reguliuoja visuomeninius santykius aplinkosaugos srityje, nustato pagrindines juridinių ir fizinių asmenų teises ir pareigas išsaugant Lietuvos Respublikai būdingą biologinę įvairovę, ekologines sistemas bei kraštovaizdį, užtikrinant sveiką ir švarią aplinką, racionalų gamtos išteklių naudojimą Lietuvos Respublikoje, jos teritoriniuose vandenyse, kontinentiniame šelfe ir ekonominėje zonoje, atsakomybę, ekonomines sankcijas už juridinių asmenų padarytus aplinkos apsaugą ir gamtos išteklių naudojimą reglamentuojančių teisės aktų pažeidimus siekiant veiksmingos šių pažeidimų prevencijos ir nuostatas dėl bylų dėl ekonominių sankcijų skyrimo teisenos.

N. Montenegro

Constitutional provisions

Article 23 of the Constitution of Montenegro

Everyone has a right to a healthy environment.

Everyone has a right to be timely and completely notified about the state of the environment, a possibility of influencing the decision-making on issues of importance to the environment and a legal protection of these rights.

Everyone, and especially the state, is obliged to protect and improve the environment.

Svako ima pravo na zdravu životnu sredinu.

Svako ima pravo na blagovremeno i potpuno obavještanje o stanju životne sredine, na mogućnost uticaja prilikom odlučivanja o pitanjima od značaja za životnu sredinu i na pravnu zaštitu ovih prava.

Svako je, a posebno država, obavezan da čuva i unapređuje životnu sredinu.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 5 of the Law on Environment (Official Gazette No. 2/2016)

The principles of environmental protection are: [...]

13) principles of protection of the right to healthy environment and access to justice:

Principi zaštite životne sredine su: [...]

13) princip zaštite prava na zdravu životnu sredinu i pristupa pravosuđu:

O. North Macedonia

Constitutional provisions

Article 43 of the Constitution of the Republic of North Macedonia

Every person has a right to a healthy environment.

Every person is obliged to promote and protect the environment.

The Republic provides conditions for the exercise of the right of citizens to a healthy environment.

Секој човек има право на здрава животна средина.

Секој е должен да ја унапредува и штити животната средина и природата.

Републиката обезбедува услови за остварување на правото на граѓаните на здрава животна средина.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 1 of the Law on Environment

(1) This Law shall regulate the rights and the responsibilities of the Republic of Macedonia, municipalities, the City of Skopje and the municipalities of the City of Skopje as well as the rights and the responsibilities of legal entities and natural persons, in the provision of conditions required to ensure protection and improvement of the environment, for the purpose of exercising the right of citizens to a healthy environment.

(1) Со овој закон се уредуваат правата и должностите на Република Македонија, на општината, на градот Скопје и на општините во градот Скопје, како и правата и должностите на правните и на физичките лица, во обезбедувањето услови за заштита и

за унапредување на животната средина, заради остварување на правото на граѓаните на здрава животна средина.

P. Poland

Constitutional provisions

There is no explicit right to a healthy environment in Poland's Constitution. However, in January 2019, in case **VI C 1043/18**, a Polish trial court found that such a right can be implied in Article 23 of the Polish Civil Code. This decision is under appeal.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

N/A

Q. Republic of Moldova

Constitutional provisions

Article 37 of the Constitution of the Republic of Moldova

Every individual has the right to live in an ecologically safe and healthy environment, to consume healthy food and to use harmless household appliances.

The State shall guarantee to every individual the right to free access and dissemination of the trustworthy information regarding the state of the natural environment, living and working conditions and the quality of food and household appliances.

Concealment or distortions of information regarding the elements that are harmless to human health are prohibited by the law.

Private individuals and legal entities are liable for the damages caused to a person's health and property due to ecological infringements.

Articolul 37. Dreptul la un mediu înconjurător sănătos

(1) Fiecare om are dreptul la un mediu înconjurător neprimejdios din punct de vedere ecologic pentru viață și sănătate, precum și la produse alimentare și obiecte de uz casnic inofensive.

(2) Statul garantează fiecărui om dreptul la accesul liber și la răspîndirea informațiilor veridice privitoare la starea mediului natural, la condițiile de viață și de muncă, la calitatea produselor alimentare și a obiectelor de uz casnic.

(3) Tăinuirea sau falsificarea informațiilor despre factorii ce sînt în detrimentul sănătății oamenilor se interzice prin lege.

(4) Persoanele fizice și juridice răspund pentru daunele pricinuite sănătății și avutului unei persoane ca urmare a unor contravenții ecologice.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 30 of the Law of the Republic of Moldova of June 16, 1993, No. 1515-XII

The State recognizes to all-natural persons the right to a healthy environment for which purposes it ensures, in accordance with the legislation in force:

- a) full, operative and free access to information on the status of the environment and the health status of the population;*
- b) the right to associate in organisations, parties, movements, environmental protection associations, and to adhere to existing ones;*
- c) the right to participate in the debate of draft laws, various economic or other programs that directly or indirectly concern the protection of the environment and the use of natural resources; the right to information and consultation on projects for the location and construction of objects with negative effects on the environment, restoration and spatial planning, urban and rural locations;*
- d) the right to intervene with actions in the state courts, for the temporary or definitive suspension of the activity of the economic agents that bring irreparable damages to the environment; the right to request the expertise of the objectives and to participate in the execution of the public expertise;*
- e) the right to organize national and local referendums on major environmental issues;*
- f) the right to ecological education and training;*
- g) the right to address, directly or through organisations, parties, movements, associations, environmental, administrative or judicial authorities, to cease actions that are harmful to the environment, whether or not the economic agents will be directly harmed; the right to hold those responsible for environmental offenses or crimes responsible;*
- h) the right to compensation for the damage suffered as a result of pollution or other actions affecting the environment, as well as for the damage to human health;*
- i) the right to benefit from the facilities provided by the legislation for capital inventions, which aim to improve the quality of the environment.*

Art. 30. - Statul recunoaste tuturor persoanelor fizice dreptul la un mediu sanatos, in care scop asigura, in conformitate cu legislatia in vigoare:

- a) accesul deplin, operativ si liber la informatiile privind starea mediului si starea sanatatii populatiei;*
- b) dreptul de a se asocia in organizatii, partide, miscari, asociatii de protectie a mediului, de a adera la cele existente;*
- c) dreptul de a participa la dezbaterile proiectelor de legi, diverselor programe economice sau de alta natura ce vizeaza direct sau indirect protectia mediului si folosirea resurselor naturale; dreptul la informare si consultare asupra proiectelor de amplasare si construire a obiectelor cu efecte negative asupra mediului, de refacere si amenajare a teritoriului, a localitatilor urbane si rurale;*
- d) dreptul de a interveni cu demersuri la instantele de stat, pentru suspendarea temporara sau definitiva a activitatii agentilor economici care aduc daune ireparabile mediului; dreptul de a solicita efectuarea expertizei obiectivelor si de a participa la efectuarea expertizei obstesti;*

e) dreptul de a organiza referendumuri nationale si locale in probleme majore de protectie a mediului;

f) dreptul la educatie si instruire ecologica;

g) dreptul de a se adresa, direct sau prin intermediul unor organizatii, partide, miscari, asociatii, autoritatilor pentru mediu, administrative sau judecatoresti pentru a solicita actiunile care aduc daune mediului, indiferent daca agentii economici vor fi sau nu prejudicati in mod direct; dreptul de a trage la raspundere persoanele, care au comis contraventii sau infractiuni ecologice;

h) dreptul la despagubire pentru prejudiciul suferit cu ocazia a poluarii sau a altor actiuni de afectare a mediului, precum si pentru prejudiciul adus sanatatii oamenilor;

i) dreptul de a beneficia de facilitatile prevazute de legislatie pentru investitiile capitale, care au drept scop ameliorarea calitatii mediului.

R. Romania

Constitutional provisions

Article 35 of the Constitution of Romania

(1) The State recognizes the right of every person to a healthy and ecologically balanced environment.

(2) The State shall provide the legal framework for the exercise of this right.

(3) Natural and legal persons have the duty to protect and improve the environment.

(1) Statul recunoaste dreptul oricarei persoane la un mediu inconjurator sanatos si echilibrat ecologic.

(2) Statul asigura cadrul legislativ pentru exercitarea acestui drept.

(3) Persoanele fizice si juridice au indatorirea de a proteja si a ameliora mediul inconjurator.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Emergency Ordinance 195/2005 on environmental protection, Article 5

The state recognises the right to a healthy and ecologically balanced environment for everyone, guaranteeing for this purpose:

a) access to environmental information, subject to the confidentiality requirements of the applicable legislation;

b) the right of association in environmental protection organisations;

c) the right to be consulted in the decision-making process concerning the development of environmental policy and legislation, the issuance of regulatory acts in the field, the development of plans and programmes;

d) the right to address, directly or through environmental organisations, administrative and / or judicial authorities, as appropriate, in environmental matters, whether or not damage has occurred; and

e) the right to compensation for the damage suffered.

Statul recunoaste oricarei persoane dreptul la un mediu sanatos si echilibrat ecologic, garantand in acest scop:

a) accesul la informatia privind mediul, cu respectarea conditiilor de confidentialitate prevazute de legislatia in vigoare;

b) dreptul de asociere in organizatii pentru protectia mediului;

c) dreptul de a fi consultat in procesul de luare a deciziilor privind dezvoltarea politicii si legislatiei de mediu, emiterea actelor de reglementare in domeniu, elaborarea planurilor si programelor;

d) dreptul de a se adresa, direct sau prin intermediul organizatiilor pentru protectia mediului, autoritatilor administrative si/sau judecatoresti, dupa caz, in probleme de mediu, indiferent daca s-a produs sau nu un prejudiciu;

e) dreptul la despagubire pentru prejudiciul suferit.

Law 24/2007 on the regulation and administration of green spaces in the localities, Article 2

The State recognizes the right of every individual to a healthy environment, the access to recreation in public green spaces, the right to contribute to the green spaces, the creation of trees and shrubs, provided that the legal provisions in force are respected.

Statul recunoaște dreptul fiecărei persoane fizice la un mediu sănătos, accesul liber pentru recreere în spațiile verzi proprietate publică, dreptul de a contribui la amenajarea spațiilor verzi, la crearea aliniamentelor de arbori și arbuști, în condițiile respectării prevederilor legale în vigoare.

S. Russian Federation

Constitutional provisions

Article 42 of the Constitution of the Russian Federation

Everyone shall have the right to a favourable environment, reliable information on the state of the environment and compensation for damage caused to his (her) health and property by violations of environmental laws.

Статья 42. Каждый имеет право на благоприятную окружающую среду, достоверную информацию о ее состоянии и на возмещение ущерба, причиненного его здоровью или имуществу экологическим правонарушением.

Treaty provisions

N/A

Legislative provisions

Federal Law on Environmental Protection No. 7-FZ of January 10, 2002

Preamble:

In accordance with the Constitution of the Russian Federation everybody has a right to a favourable environment, everybody shall preserve the nature and the environment, carefully deal with the natural wealth being a basis for the sustainable development, life and activities of the peoples inhabiting the territory of the Russian Federation.

Article 2(4):

The relations emerging in the field of environmental protection as the basis of life and activity of the peoples inhabiting the territory of the Russian Federation, for the purpose of ensuring their right to a favourable environment shall be governed by the international treaties of the Russian Federation, the present Federal Law, other federal laws and other regulatory legal acts of the Russian Federation, laws and other regulatory legal acts of Russian regions.

Article 3: The Basic Principles of Environmental protection

The economic and other activities of the governmental bodies of the Russian Federation, the governmental bodies of Russian regions, local government bodies, legal entities and natural persons that exert effects on the environment shall be pursued on the basis of the below principles:

- the observance of the human right to a favourable environment;

Article 11: The Rights and Duties of Citizens in the Field of Environmental Protection

1. Each citizen is entitled to a favourable environment, its protection against negative effects caused by economic and other activities, natural and man-made emergencies, to reliable information on the conditions of the environment and to reimbursement of harm inflicted on the environment.

According to the Constitution of the Russian Federation, everybody is entitled to a favorable environment, reliable information on the condition thereof and to reimbursement for harm inflicted to one's health or property or by an ecological offence.

В соответствии с Конституцией Российской Федерации каждый имеет право на благоприятную окружающую среду, каждый обязан сохранять природу и окружающую среду, бережно относиться к природным богатствам, которые являются основой устойчивого развития, жизни и деятельности народов, проживающих на территории Российской Федерации.

Статья 2. Законодательство в области охраны окружающей среды

4. Отношения, возникающие в области охраны окружающей среды как основы жизни и деятельности народов, проживающих на территории Российской Федерации, в целях обеспечения их прав на благоприятную окружающую среду, регулируются международными договорами Российской Федерации, настоящим Федеральным законом, другими федеральными законами и иными нормативными правовыми актами Российской Федерации, законами и иными нормативными правовыми актами субъектов Российской Федерации.

Статья 3. Основные принципы охраны окружающей среды

Хозяйственная и иная деятельность органов государственной власти Российской Федерации, органов государственной власти субъектов Российской Федерации, органов

местного самоуправления, юридических и физических лиц, оказывающая воздействие на окружающую среду, должна осуществляться на основе следующих принципов:

соблюдение права человека на благоприятную окружающую среду;
Статья 11. Права и обязанности граждан в области охраны окружающей среды

1. Каждый гражданин имеет право на благоприятную окружающую среду, на ее защиту от негативного воздействия, вызванного хозяйственной и иной деятельностью, чрезвычайными ситуациями природного и техногенного характера, на достоверную информацию о состоянии окружающей среды и на возмещение вреда окружающей среде.

T. Serbia

Constitutional provisions

Article 74 of the Constitution of the Republic of Serbia

Everyone has a right to a healthy environment and to be notified of its condition timely and completely.

Everyone, and especially the Republic of Serbia and autonomous province, is responsible for environmental protection.

Everyone is obliged to protect and improve the environment.

Svako ima pravo na zdravu životnu sredinu i na blagovremeno i potpuno obaveštavanje o njenom stanju.

Svako, a posebno Republika Srbija i autonomna pokrajina, odgovoran je za zaštitu životne sredine.

Svako je dužan da čuva i poboljšava životnu sredinu.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Article 9 Paragraph 1 Point 11 and Article 81a of the Environment Protection Law (Official Gazette No. 98/2006)

The basic principles of environmental protection include: [...]

The principle of protection of the right to a healthy environment and access to the judiciary – a citizen or a group of citizens, their associations, professional or other organisations, may seek to vindicate their right to a healthy environment before the relevant competent authority, i.e. a court, in accordance with law.

Osnovna načela zaštite životne sredine jesu: [...]

11) Načelo zaštite prava na zdravu životnu sredinu i pristupa pravosuđu - građanin ili grupe građana, njihova udruženja, profesionalne ili druge organizacije, pravo na zdravu životnu sredinu ostvaruju pred nadležnim organom, odnosno sudom, u skladu sa zakonom.

Article 81a of the Environment Protection Law

Right to Justice

Interested public as a party to the procedure of realization of the right to a healthy environment is entitled to initiate a procedure reviewing a decision before a competent authority, i.e. court of competent jurisdiction, in accordance with the law.

Pravo na pravdu

Zainteresovana javnost u postupku ostvarivanja prava na zdravu životnu sredinu kao stranka ima pravo da pokreće postupak preispitivanja odluke pred nadležnim organom, odnosno sudom, u skladu sa zakonom.

Article 2 Paragraph 1 Point 8 of the Consumer Protection Law (Official Gazette Nos. 62/2014, 6/2016 and 44/2018)

The principal consumer rights include, amongst others, the right to a healthy and sustainable environment, i.e. to live and work in an environment which is not harmful to the health and well-being of the present and future generations, and also the right to be informed about environmental conditions in a timely manner and fully.

Osnovna prava potrošača su pravo na: [...]

8) zdravu i održivu životnu sredinu - život i rad u sredini koja nije štetna za zdravlje i dobrobit sadašnje i budućih generacija, pravovremeno i potpuno informisanje o stanju životne sredine.

U. Slovakia

Constitutional provisions

Constitution of the Slovak Republic

Article 44

(1) Everyone shall have the right to a favourable environment.

(2) Everyone shall protect and improve the environment and foster cultural heritage.

(3) No one shall endanger or damage the environment, natural resources and cultural heritage beyond the limits set by a law.

(4) The state shall be responsible for the prudent use of natural resources, protection of agricultural and forest lands, ecological balance and an effective environmental conservation and shall ensure the protection of certain species of wild plants and wild animals.

(5) Agricultural lands, forest lands as non-renewable natural resources enjoy special protection by the state and society.

(6) Details on the rights and duties according to paragraphs 1 to 5 shall be laid down by a law.

Article 45

Everyone has the right to timely and complete information about the state of the environment and about the causes and consequences of its condition.

Čl. 44

(1) Každý má právo na priaznivé životné prostredie.

(2) Každý je povinný chrániť a zveľaďovať životné prostredie a kultúrne dedičstvo.

(3) Nikto nesmie nad mieru ustanovenú zákonom ohrozovať ani poškodzovať životné prostredie, prírodné zdroje a kultúrne pamiatky.

(4) Štát dbá o šetrné využívanie prírodných zdrojov, o ekologickú rovnováhu a o účinnú starostlivosť o životné prostredie a zabezpečuje ochranu určeným druhom voľne rastúcich rastlín a voľne žijúcich živočíchov.

(5) Podrobnosti o právach a povinnostiach podľa odsekov 1 až 4 ustanoví zákon.

Čl. 45

Každý má právo na včasné a úplné informácie o stave životného prostredia a o príčinách a následkoch tohto stavu.

Constitutional Act Introducing the Charter of Fundamental Rights and Freedoms (Act No. 23/1991 Coll.)

Article 35

(1) *Everyone shall have the right to a favourable environment.*

(2) *Everyone shall have the right to timely and complete information on the environmental situation and natural resources.*

(3) *No one shall, in exercising his/her rights, endanger or damage the environment, natural resources, variety of species and cultural heritage beyond the limits set by a law.*

Article 41

(1) *The rights listed in Article 26, Article 27(4), Articles 28 to 31, Article 32(1) and (3), and Articles 33 and 35 of the Charter may be claimed only within the scope of the laws implementing these provisions.*

(1) *Každý má právo na priaznivé životné prostredie.*

(2) *Každý má právo na včasné a úplné informácie o stave životného prostredia a prírodných zdrojov.*

(3) *Nikto nesmie pri výkone svojich práv ohrozovať ani poškodzovať životné prostredie, prírodné zdroje, druhové bohatstvo prírody a kultúrne pamiatky nad mieru ustanovenú zákonom.*

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Preamble to Act No. 17/1192 Coll. on the Environment (Amendment: 127/1994 Coll.; 287/1994 Coll.)

The Federal Assembly of the Czech and Slovak Federative Republic following from the fact that Man is together with other living organisms an inseparable part of Nature, recalling the natural interdependence between Man and other organisms while respecting the right of Man to adapt Nature in compliance with the principle of permanently sustainable development, aware of his responsibility for the conservation of favourable environment to next generations and emphasising the right to favourable environment as one of Man's basic rights it has passed the following Act:

Federálne zhromaždenie Českej a Slovenskej Federatívnej Republiky vychádzajúc zo skutočnosti, že človek je spolu s ostatnými organizmami neoddeliteľnou súčasťou prírody, pripomínajúc si prirodzenú vzájomnú závislosť človeka a ostatných organizmov, rešpektujúc pritom právo človeka pretvárať prírodu v súlade s princípom trvalo udržateľného rozvoja, vedomé si svojej zodpovednosti za zachovanie priaznivého životného prostredia budúcim generáciám a zdôrazňujúc právo na priaznivé životné prostredie ako jedno zo základných práv človeka, uznieslo sa na tomto zákone:

V. Slovenia

Constitutional provisions

Article 72 of the Republic of Slovenia

- (1) Everyone has the right in accordance with the law to a healthy living environment.*
- (2) The state shall promote a healthy living environment. To this end, the conditions and manner in which economic and other activities are pursued shall be established by law.*
- (3) The law shall establish under which conditions and to what extent a person who has damaged the living environment is obliged to provide compensation.*
- (4) The protection of animals from cruelty shall be regulated by law.*

Vsakdo ima v skladu z zakonom pravico do zdravega življenjskega okolja.

Država skrbi za zdravo življenjsko okolje. V ta namen zakon določa pogoje in načine za opravljanje gospodarskih in drugih dejavnosti.

Zakon določa, ob katerih pogojih in v kakšnem obsegu je povzročitelj škode v življenjskem okolju dolžan poravnati škodo. Varstvo živali pred mučenjem ureja zakon.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Environmental Protection Act (Official Gazette RS No. 39/06 ZVO-1)

- (1) In order to exercise the right to a healthy living environment, citizens may, as individuals or their societies, associations and organizations before a court, require that the institution or institution (hereinafter referred to as the institution) intervene in the environment if it would cause interference, whether it causes an excessive burden on the environment or if it would cause or cause an imminent threat to human life or health or be prohibited from initiating an environmental intervention if it is likely to cause such consequences.*
 - (2) In accordance with the law, the Ombudsman is also responsible for the protection of the right to a healthy living environment as a special field.*
- (1) Za uresničevanje pravice do zdravega življenjskega okolja lahko državljanke ali državljani kot posameznice ali posamezniki ali njihova društva, združenja in organizacije pred sodiščem zahtevajo, da nosilka ali nosilec (v nadaljnjem besedilu: nosilec) posega v okolje ustavi poseg, če*

bi ta povzročil ali povzroča čezmerno obremenitev okolja ali če bi povzročil ali povzroča neposredno nevarnost za življenje ali zdravje ljudi, ali da se mu prepove začeti izvajanje posega v okolje, če je izkazana velika verjetnost, da bi povzročil takšne posledice.

(2) Za varovanje pravice do zdravega življenjskega okolja kot posebnega področja je v skladu z zakonom pristojen tudi varuh človekovih pravic.

W. Ukraine

Constitutional provisions

Article 50 of the Constitution of Ukraine

Everyone shall have the right to an environment that is safe for life and health, and to compensation for damages caused by violation of this right.

Everyone shall be guaranteed the right of free access to information about the environmental situation, the quality of foodstuffs and household goods, as well as the right to disseminate such information. No one shall make such information secret.

Кожен має право на безпечне для життя і здоров'я довкілля та на відшкодування завданої порушенням цього права шкоди.

Кожному гарантується право вільного доступу до інформації про стан довкілля, про якість харчових продуктів і предметів побуту, а також право на її поширення. Така інформація ніким не може бути засекречена.

Treaty provisions

State party to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Legislative provisions

Item (a) of paragraph 1 of Article 9 of Law of Ukraine "On Environmental Protection" – Environmental rights of Ukrainian citizens

Every citizen of Ukraine shall have the right to:

a) an environment that is safe for life and health;

Кожний громадянин України має право на:

a) безпечне для його життя та здоров'я навколишнє природне середовище;

Article 293 of Civil Code of Ukraine – Right to an environment that is safe for life and health

1. A natural person shall have the right to an environment that is safe for life and health, right to reliable information about the environmental situation, the quality of foodstuffs and household goods, as well as the right to collect and disseminate such information.

2. An activity of natural and legal person which results in destruction, deterioration, pollution of the environment shall be illegal. Everyone shall have the right to require termination of such activities. Activities of the natural and legal person that are detrimental to the environment may be terminated upon the court decision.

3. A natural person shall have the right to safe consumer products (foodstuffs and household goods).

4. A natural person shall have the right to appropriate, safe and healthy conditions of work, life, study, etc.

1. Фізична особа має право на безпечне для життя і здоров'я довкілля, право на достовірну інформацію про стан довкілля, про якість харчових продуктів і предметів побуту, а також право на її збирання та поширення.

2. Діяльність фізичної та юридичної особи, що призводить до нищення, псування, забруднення довкілля, є незаконною. Кожен має право вимагати припинення такої діяльності. Діяльність фізичної та юридичної особи, яка завдає шкоди довкіллю, може бути припинена за рішенням суду.

3. Фізична особа має право на безпечні для неї продукти споживання (харчові продукти та предмети побуту).

4. Фізична особа має право на належні, безпечні і здорові умови праці, проживання, навчання тощо.

Item (b) of paragraph 1 of Article 6 of Law of Ukraine ""Fundamentals of the Legislation of Ukraine on Health Care"" – The right to health care

Every citizen of Ukraine has the right to health care, which entails: ...

b) an environment that is safe for life and health

Кожний громадянин України має право на охорону здоров'я, що передбачає: ...

б) безпечне для життя і здоров'я навколишнє природне середовище

Paragraph 1 of Article 4 of the Law of Ukraine ""On ensuring the sanitary and epidemiological well-being of the population"" – Citizen's rights

Citizens shall have the right to:

food, drinking water, conditions of work, education, household, recreation, and an environment that are safe for life and health

Громадяни мають право на:

безпечні для здоров'я і життя харчові продукти, питну воду, умови праці, навчання, виховання, побуту, відпочинку та навколишнє природне середовище