

Mandates of the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

Ref.: OL OTH 44/2025
(Please use this reference in your reply)

9 April 2025

Dear Chair of the ASEAN Intergovernmental Commission on Human Rights,

We have the honour to address you in our capacities as Special Rapporteur on the human right to a clean, healthy and sustainable environment; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of human rights in the context of climate change; Special Rapporteur on the situation of human rights defenders and Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, pursuant to Human Rights Council resolutions 55/2, 53/3, 57/31, 52/4 and 54/10.

We wish to refer to a previous communication sent by Special Procedures' Mandate Holders (Ref.: [OL OTH 111/2024](#) dated 27 June 2024, enclosed to this letter for reference) regarding the development of the ASEAN Declaration on the Right to a Safe, Clean, Healthy, and Sustainable Environment. In said communication, mandate holders welcomed the potential of the Declaration to significantly advance the protection of the right to a clean, healthy and sustainable environment in Southeast Asia and offered some suggestions for ensuring that the content of this Declaration is aligned with international human rights norms and standards. In this regard mandate holders highlighted the importance of explicitly reflecting international law and referencing relevant UN resolutions recognizing the right to a clean, healthy, and sustainable environment, that were supported by most of the ASEAN States. They also emphasized the importance of acknowledging in the Declaration the need for specific protection of the rights of individuals and groups in vulnerable situations, including those who protect the environment, as well as the importance of ensuring an inclusive, transparent process that enables meaningful participation, in the development of the Declaration, including for those in most vulnerable situations.

We are pleased to learn that, under the leadership of Malaysia as the Chair of ASEAN, the States of the subregion are advancing this critical initiative, with plans to finalize the Declaration in 2025. The interface consultation between AICHR and the ASEAN Senior Officials on the Environment (ASOEN), aimed at finalizing the text during the ongoing meeting in Penang, Malaysia, represents a significant milestone.

This initiative is a unique and historic opportunity to create a landmark document that not only addresses pressing environmental challenges but also reinforces human rights across ASEAN Member States. A Declaration of this nature holds the potential to set a transformative precedent, consistent with or exceeding international

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human rights standards, evidencing the leadership of the region, to benefit their people and strengthen cooperation between States.

As ASEAN States embark on the final leg of this process, and pending feedback on whether and how our recommendations contained in [OL OTH 111/2024](#) dated 27 June 2024 have been considered, we would like to respectfully reiterate our request that the ASEAN Declaration process takes into account the considerations and suggestions elaborated in our previous communication. We remain fully available to provide any technical support or assistance required to ensure that the outcome of such a critical human rights framework is aligned with international human rights norms and standards. Our commitment to collaborating with ASEAN remains steadfast, as we work collectively to uphold the right to a clean, healthy and sustainable environment and environmental justice.

This communication, in follow up to our comments on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We look forward to your response and remain at your disposal for further dialogue and engagement on this matter.

Please accept, Chair, the expression of our highest esteem and distinguished consideration.

Astrid Puentes Riaño
Special Rapporteur on the human right to a clean, healthy and sustainable environment

Lyra Jakulevičienė
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Elisa Morgera
Special Rapporteur on the promotion and protection of human rights in the context of climate change

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Marcos A. Orellana
Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes