ing conflict and promoting political stabil-
ing, and to ensure a reliable flow of re-
sources for peacekeeping operations on
the continent.
- To take special measures to address
the challenges of poverty eradication and
sustainable development in Africa, includ-
ing debt cancellation, improved market
access, enhanced Official Development
Assistance and increased flows of Foreign
Direct Investment, as well as transfers of
technology.
- To help Africa build up its capacity to
tackle the spread of the HIV/AIDS pan-
demic and other infectious diseases.

VIII. Strengthening the United Nations

The Right to Water*

The European Council on Environmen-
tal Law,
Conscious of the grave problems
posed by access to drinking water, an es-
sential element for the survival of man;
Considering that access to water is
part of a sustainable development policy
and cannot be regulated by market forces
alone;
Considering that while water is an
economic good, it is above all a social
good;
Convinced that water resources con-
stitute a common heritage and must be
used in an equitable manner and managed
in cooperation with the users in a spirit of
solidarity;
Taking account of the International
Covenant on Economic, Social and Cul-
tural Rights (1966) according to which
"[T]he States recognize (…) the right of
everyone to the en-
joyment of the highest attainable standard
of physical and mental health" (art. 12);
Considering that the right to water
cannot be dissociated from the right to food
and the right to housing which are recog-
nized human rights and that the right to
water is also closely linked to the right to
health;
Taking account of the Protocol on Wa-
ter and Health (1999) adopted in London
in the framework of the Economic Com-
mision of the United Nations for Europe,
which refers to the principle of "equitable
access to water" which should be provided
for "all members of the population" (art. 5);
Mindful of the principles of the Ma-
daia Declaration on the Sustainable Man-
agement of Water Resources, adopted by
the ECEL, on 17 April 1999;
Observing that the greater part of the
population of European countries already
enjoys access to water at an affordable
price;
Recognizing that access to water for
all should be an important element in poli-
cies to combat poverty;
PROPOSES that Governments and
competent international organizations ex-
plicitly recognize – in the national, com-

Right to the Protection of
Environment*

The European Council on Environmen-
tal Law,
Having considered the draft of the
Charter of Fundamental Rights of the Eu-
ropean Union (September 2000);
Noting that Article 36 of the draft deal-
ing with "Environmental protection"* does
not impose any direct obligation on the
member States of the Union which must
- Adopted on 22 September 2000. See also page
258.
Art. 36: Environmental protection. A high level of environmental protection and the improvement of the quality of the environment shall be integrated into the policies of the Union and ensured in accordance with the principle of sustainable develop-
ment.

ensure its implementation but deals only
with programmatic requirements concern-
ing the environmental policy of the Euro-
pean Union;
Considering that other articles of the
draft Charter guarantee rights which States
must recognise in relation to every person
within the territory of the European Union
and that this is particularly the case in re-
lation to other economic and social rights
such as the right to health, the right to so-
cial assistance and housing assistance;
Recalling Resolution 45/94(1990) of the
General Assembly of the United Na-
tions according to which "all individuals are
entitled to live in an environment adequate
for their health and well-being";
Recalling that all States of the Union
have signed the Aarhus Convention (1998)
which recognises "the right of every per-
son to live in an environment adequate to
his or her health and well-being";
Concludes that the present formu-
lation of Article 36 on the protection of the
environment which places no obligation
upon States and which does not recognise
any individual right, is an unjustifiable step
backwards from the commitments under-
taken by States of the Union at national
and international levels and does not re-
flect the evolution of law during the last
decade;
PROPOSES to the Presidium of the
Convention that the text of Article 36 of the
Charter be drafted in terms that ensure that
the Union recognises and respects the right
of every person to protection of the envi-
ronment in order to secure the right of each
person to live in an environment adequate
for maintenance of their physical and men-
tal health, the enhancement of their dig-
ity and their personal achievement.

* Resolution adopted on 28 April 2000. See also page 248.