

## **Appendix II:** **Reference information and case law for the Court's consideration**

### **Multilateral and Regional Bodies Resolutions**

#### **General Assembly of the Organization of Americas States**

*Support for the Work of the Caribbean Sea Commission*, General Assembly Res AG/Res 2691 (XLI-O/11). Link: <http://www.oas.org/en/council/AG/ResDec/>

*Advancing Hemispheric Initiatives on Integral Development*, General Assembly Res AG/Res 2779 (XLIII-O/13). Link: <http://www.oas.org/en/council/AG/ResDec/>

*Human Rights and the Environment*, General Assembly Res AG/RES. 1819 (XXXI-O/01). Link: <http://www.oas.org/en/council/AG/ResDec/>

*Human Rights and the Environment in the Americas*, General Assembly AG/RES. 1896 (XXXII-O/02). Link: <http://www.oas.org/en/council/AG/ResDec/>

*Human Rights and the Environment in the Americas*, General Assembly AG/RES. 1926 (XXXIII-O/03). Link: <http://www.oas.org/en/council/AG/ResDec/>

#### **General Assembly of the United Nations**

*Towards the sustainable development of the Caribbean Sea for present and future Generations*, UNGA Res 61/197, (A/RES/61/197). Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/61/197&Lang=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/61/197&Lang=E)

*Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction*, UNGA Res 69/292, (A/RES/69/292). Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/69/292](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/292)

*Need to ensure a healthy environment for the well-being of individuals*, UNGA Res 45/94. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/45/94](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/45/94)

*World Charter for Nature*, UNGA Res 37/7, A/RES/37/7. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/37/7](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/37/7)

*Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development*, UNGA Res 54/225. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/54/225](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/54/225)

*Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development*, UNGA Res 55/203. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/55/203](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/55/203)

*Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development*, UNGA Res 57/261. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/57/261](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/57/261)

*Promoting an integrated management approach to the Caribbean Sea area in the context of sustainable development*, UNGA Res 59/230. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/59/230](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/59/230)

*Towards the sustainable development of the Caribbean Sea for present and future generations*, UNGA Res 65/155. Link: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/65/155](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/65/155)

*Problems of the Human Environment*, UNGA Res 2398 (XXIII) (1968) Link: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/243/58/IMG/NR024358.pdf?OpenElement>

*The future we want*, UNGA Res 66/288. Link: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/66/288&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&Lang=E)

### **United Nations Human Rights Council**

*Environment and Human Rights*, HRC Res 1990/41, E/CN.4/1990/94. Link (Only in Spanish): [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=0ahUKEwjg19e1u7\\_RAhWiv1QKHan2BHwQFggoMAM&url=http%3A%2F%2Frepository.un.org%2Fbitstream%2Fhandle%2F11176%2F182080%2FE\\_1990\\_22%253BE\\_CN.4\\_1990\\_94-ES.pdf%3Fsequence%3D5%26isAllowed%3Dy&usg=AFQjCNF6yV6r2gPEyD72V9QKocKfKID7qg&sig2=rpORetIvE15eFCBxYTnaA&bvm=bv.144224172.d.amc](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=0ahUKEwjg19e1u7_RAhWiv1QKHan2BHwQFggoMAM&url=http%3A%2F%2Frepository.un.org%2Fbitstream%2Fhandle%2F11176%2F182080%2FE_1990_22%253BE_CN.4_1990_94-ES.pdf%3Fsequence%3D5%26isAllowed%3Dy&usg=AFQjCNF6yV6r2gPEyD72V9QKocKfKID7qg&sig2=rpORetIvE15eFCBxYTnaA&bvm=bv.144224172.d.amc)

*Human rights situation in the Occupied Palestinian Territory, including East Jerusalem*, HCR Res 22/28. A/HRC/RES/22/28. Link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/132/96/PDF/G1313296.pdf>

*Human rights and the environment*, HCR Res 16/11. A/HRC/RES/16/11. Link: [http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.11\\_en.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.11_en.pdf)

*Human rights and the environment*, HCR Res 31/8. A/HRC/RES/31/8. Link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/084/79/PDF/G1608479.pdf?OpenElement>

### **International union for the Conservation of Nature (IUCN)**

IUCN (2016). IUCN Resolutions, Recommendations and other Decisions. Gland, Switzerland: IUCN. 106pp. Link: <https://portals.iucn.org/library/sites/library/files/documents/IUCN-WCC-6th-005.pdf>

## **International/Regional Treaties and Multilateral Environmental Agreements (MEA's)**

Convention on Environmental Impact Assessment in a Transboundary Context (adopted on 25 February 1991, entered into force on 10 September 1997) (Espoo Convention). Link: [https://www.unece.org/fileadmin/DAM/env/eia/documents/legaltexts/Espoo\\_Convention\\_authentic\\_ENG.pdf](https://www.unece.org/fileadmin/DAM/env/eia/documents/legaltexts/Espoo_Convention_authentic_ENG.pdf)

Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (adopted on 24 March 1983 and entered into force on 11 October 1986) (The Cartagena Convention). Link: <http://www.cep.unep.org/cartagena-convention>

Convention on Biological Diversity (opened for signature on 5 June 1992 and entered into force on 29 December 1993) (CBD). Link: <https://www.cbd.int/doc/legal/cbd-en.pdf>

United Nations Convention on the Law of the Sea (was opened for signature on 10 December 1982 and entered into force on 16 November 1994) (UNCLOS). Link: [http://www.un.org/depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf)

The Convention on International Trade IN Endangered Species of Wild Fauna and Flora (signed on 3 March 1973 and entered into force on 1 July 1975) (CITES). Link: <https://www.cites.org/eng/disc/text.php>

The Convention on Wetlands (adopted in 1971 and entered into force in 1975) (The Ramsar Convention). Link: [http://www.ramsar.org/sites/default/files/documents/library/current\\_convention\\_text\\_e.pdf](http://www.ramsar.org/sites/default/files/documents/library/current_convention_text_e.pdf)

Convention on the Conservation of Migratory Species of Wild Animals (adopted in 1979 and entered into force on 1 November 1983) (Bonn Convention). Link: [http://www.cms.int/sites/default/files/instrument/CMS-text.en\\_.PDF](http://www.cms.int/sites/default/files/instrument/CMS-text.en_.PDF)

Convention on Nature Protection and Wild Life Preservation in the Western Hemisphere (was opened for signature on 12 October 1940 and entered into force on 30 April 1942) OAS TS 981, Bevans 630. Link: <http://www.oas.org/juridico/english/treaties/c-8.html>

Inter-American Convention for the Protection and Conservation of Sea Turtles (was opened for signature on December 1, 1996 and entered into force in May of 2001) (IAC Convention). Link: <http://www.iacseaturtle.org/eng-docs/Texto-CIT-ENG.pdf>

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (adopted on 25 June 1998) (Aarhus Convention). Link: <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

Protocol Concerning Specially Protected Areas And Wildlife To The Convention For The Protection And Development Of The Marine Environment Of The Wider Caribbean Region (adopted on 18 January 1990) (SPAW Protocol). Link: <http://www.cep.unep.org/cartagena-convention/spaw-protocol/spaw-protocol-en.pdf/view>

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (adopted in 17 November 1988 and entered into force 16 Nov. 1999) Doc. OAS/Ser.L/V/I.4 rev.13 (Protocol of San Salvador). Link: <http://www.oas.org/juridico/english/treaties/a-52.html>

International Covenant on Economic, Social and Cultural Rights (adopted on December 16, 1966 and entered into force on January 3, 1976). Link: <http://www.ohchr.org/Documents/ProfessionalInterest/cescr.pdf>

Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, 2003 (entered into force on 11 July 2010) (Kiev Protocol). Link: <http://www.unece.org/fileadmin/DAM/env/eia/documents/legaltexts/protocolenglish.pdf>

Convention on the Rights of the Child (adopted on 20 November 1988) Link: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

International Covenant on Economic, Social and Cultural Rights (adopted on 16 December 1966) Link: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

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## **Declarations or Multilateral and Regional Bodies**

CARICOM, Montego Bay Declaration (adopted on July 4, 1997). Link: [http://archive.caricom.org/jsp/communications/meetings\\_statements/montego\\_bay\\_decl.jsp?menu=communications](http://archive.caricom.org/jsp/communications/meetings_statements/montego_bay_decl.jsp?menu=communications)

OAS, Declaration of Commitment of Port of Spain (signed on April 19) OEA/Ser.E CA-V/DEC.1/09 (Port of Spain Declaration). Link: <https://www.state.gov/documents/organization/122843.pdf>

UN, Report of the United Nations Conference on the Human Environment, Stockholm (adopted on June 16, 1972) A/CONF.48/14/Rev31 (Stockholm Declaration). Link: <http://www.un-documents.net/aconf48-14r1.pdf>

UN, United Nations Conference on Environment and Development (UNCED) (adopted on June 14 1992) (Earth Summit). Link: [http://www.unesco.org/education/nfsunesco/pdf/RIO\\_E.PDF](http://www.unesco.org/education/nfsunesco/pdf/RIO_E.PDF)

OAS, Declaration of Santo Domingo for the Sustainable Development of the Americas (Adopted on November 19, 2010), OEA/Ser.K/XVIII.2, CIDI/RIMDS-II/DEC.1/10 (Declaration of Santo Domingo). Link: [http://www.oas.org/DSD/MinisterialMeeting/Documents/Declaracion\\_Santo\\_Domingo\\_eng.pdf](http://www.oas.org/DSD/MinisterialMeeting/Documents/Declaracion_Santo_Domingo_eng.pdf)

OAS, Social Charter of the Americas (Adopted on June 4, 2012), OEA/Ser.P , AG/doc.5242/12 rev. 2. Link:

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*Certain Activities carried out by Nicaragua in the Border Area (Costa Rica/Nicaragua); Construction of a Road in Costa Rica along the San Juan River (Nicaragua/ Costa Rica)*, Judgment, 16 Dec, 2017, I.C.J. Reports 2015. Link:

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=150&code=crn&p3=4>

*Corfu Channel (United Kingdom v. Albania)*, Merits, Judgment, I.C.J. Reports 1949. Link: <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=1&p3=4>

*Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)* , I.C.J. Reports 1949. Link: <http://www.icj-cij.org/docket/index.php?p1=3&p2=1&k=37&case=155&code=nicolc&p3=4>

*Territorial And Maritime Dispute (Nicaragua V. Colombia)*, I.C.J. Judgment Of 19 November 2012. Link: <http://www.icj-cij.org/docket/files/124/17164.pdf>

*Case Concerning The Gabcikovo-Nagymaros Project (Hungary v Slovakia)*, Judgment, I.C.J. Reports 1997, p7. Link: <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=92&code=hs&p3=4>

*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I. C. J. Reports 2004, p. 136. Link: <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>

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*Juridical Status and Rights of Undocumented Migrants*, Advisory Opinion OC-18/03, Series A No. 18, (17 Sept. 2003) . Link: [http://www.corteidh.or.cr/docs/opiniones/seriea\\_18\\_ing.pdf](http://www.corteidh.or.cr/docs/opiniones/seriea_18_ing.pdf)

*Yakye Axa Indigenous Community v. Paraguay*, Judgment (Merits, Reparations and Costs), (17 June 2005). Link: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_125\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_125_ing.pdf)

*Tarcisio Medina Charry v. Colombia*, Case 11.221, Report N° 3/98, (7 Apr. 1998). Link: [http://www.worldcourts.com/iamhr/eng/decisions/1998.04.07\\_Medina\\_v\\_Colombia.pdf](http://www.worldcourts.com/iamhr/eng/decisions/1998.04.07_Medina_v_Colombia.pdf)

*Franklin Guillermo Aisalla Molina v. Ecuador*, Case IP-02, Report No. 112/10, Inter-Am.C.H.R., OEA/Ser.L/V/II.140 Doc. 10 (2010). Link: <http://hrlibrary.umn.edu/cases/112-10.html>

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*Mapiripán Massacre v. Colombia*, Judgment, Series C, No. 134 (15 Sept. 2005) . Link: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_134\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_134_ing.pdf)

*Case Of The Saramaka People V. Suriname* Judgment Series C No. 172 (November 28, 2007). Link: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_172\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_172_ing.pdf)

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### **European Court of Human Rights**

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