



THE WILDLIFE SOCIETY OF SOUTHERN AFRICA
DIE NATUURLEWEVERENIGING VAN SUIDER AFRIKA

Reg. No. 05/0468/06

(Incorporated Association not for profit)
(Ingeydele Vereniging sonder winsoekmerk)

FRN 01 1990 75 000 3

Please fax to Prof

C154
2/11/93/6585

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"Northwards"
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Parktown 2193, Johannesburg
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FAX MEMO

To: Dr THEUNS FLOFF
 Fax: 397-2211
 From: TONY FERRAR - WILDLIFE SOCIETY
 Fax: 482-2436

RE: FUNDAMENTAL RIGHT No 29

I KNOW THIS TOPIC IS VIRTUALLY CLOSED AND THAT THE NEGOTIATING COUNCIL HAS NO TIME TO REOPEN SUBSTANTIALLY COMPLETED TOPICS.

HOWEVER THIS SMALL INCLUSION IS OF MAJOR SIGNIFICANCE AND HAS MET WITH ALMOST UNIVERSAL SUPPORT FROM THE SELECTED ADDRESSEES OF 2 NOVEMBER.

IF YOU CAN FIND ANY WAY OF PUTTING THIS ON THE AGENDA FOR TOMORROW ALL SOUTH AFRICANS WITH AN INTEREST IN THE ENVIRONMENT WILL BE IN YOUR DEBT. WE ARE SIMPLY REQUESTING THE ADDITION OF TWO WORDS TO RIGHT NO 29 WHICH WILL HAVE NO IMPLICATION FOR ADDITIONAL STATE FUNDING.

WITH SINCERE THANKS

FR. MR. T. I. STEENKAMP
PRESIDENT.

Directors/Direkteure: T. I. Steenkamp (President), H. S. Craven (V. President),
Dr G. Avery, R. C. A. Barnett-Harris, S. G. Haney, Dr E. A. Zolounis, A. A. Ferrar (Executive/ uitvoerende).

Member of
IUCN
The World Conservation Union



**THE WILDLIFE SOCIETY OF SOUTHERN AFRICA
DIE NATUURLEWEVERENIGING VAN SUIDER AFRIKA**

Reg. No. 05/04658/08

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(Ingelyfde Vereniging sonder winsoogmerk)

FRN 01 1000 78 000 3

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2 November 1993

The Secretary
Constitutional Committee
P O Box 307
ISANDO
1600

Dear Sir

FUNDAMENTAL HUMAN RIGHTS - ENVIRONMENT

The Wildlife Society welcomes the inclusion of a clause (No 29) on the right to a satisfactory environment in your Technical Committee's latest report, but would urge one minor but essential improvement.

The notion of "sustainability" in regard to human use of the environment is the single most important and pervasive concept in all the recent policy directives emanating from the United Nations environment and development debate [WCED (1987) "Our Common Future"; IUCN (1991) "Caring for the Earth"; UN (1992) Rio Earth Summit].

Though the Wildlife Society does not advocate the recognition of any form of "rights for the environment", it is our strong view that environmental attributes as well as human ones should characterise the environment to which we believe people have an inalienable right. To this end the notion of a "sustainable environment" is appropriate, and no more equivocal than the notion of "not detrimental to health and well-being".

The proposed new wording for Clause 29, which measures the quality of the environment exclusively in human terms ("not detrimental to human health or well-being") would not be acceptable in current international thinking as an adequate measure of a satisfactory environmental condition. Mankind has demonstrated repeatedly that it can thrive for extended periods in quite appalling conditions that are not sustainable in the longer term.

We respectfully request that your committee consider the inclusion of the concept of environmental sustainability in the phrasing of right No 29. This could be achieved by the insertion of the words "ecologically sustainable" before the word "environment". We assume the following definition for the term "ecologically sustainable environment":

an environment in which significant ecological components (eg species, habitats, landscapes) and processes (eg cleansing water cycles, migration of biota, rates of climate change) are not destroyed or changed irreversibly.

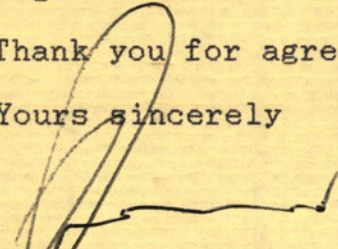
The full right would then read,

Every person shall have the right to an ecologically sustainable environment which is not detrimental to his or her health or well-being.

Please accept the view that this minor change is hugely important. It will have the support of the environmental establishment, comprising state agencies, non-government organisations and environmental science institutions around the country. Please also accept that the inclusion of the concept of ecological sustainability implies no additional demand for state funding, which we know to be a strong negative characteristic of most third generation rights.

Thank you for agreeing to consider this important detail.

Yours sincerely



A. A. Ferrar

for T I STEENKAMP
PRESIDENT



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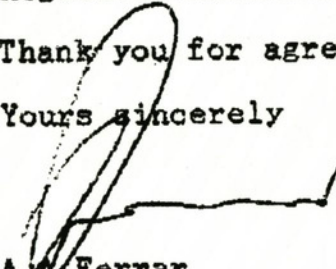
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