



Workbook for the Environmental Protection in Constitutions Assessment Tool



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Question 1

Is a commitment to protecting the environment articulated as a value in the constitution?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 2

Does the constitution establish that natural resources belong to the people and are administered by the state for the benefit of all?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 3

Does the constitution view economic development through the lens of sustainable development? Does the constitution promote sustainable development and management of land and natural resources?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 4

Does the constitution embed principles of intergenerational equity and protect the interests or rights of future generations?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 5

Does the constitution recognize the right to a healthy environment?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 6

Does the constitution obligate citizens to protect and improve the environment and to take responsibility for environmental damage they cause?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 7

Does the constitution recognize and promote procedural environmental rights such as the rights to access information, participation, and access to justice in environmental matters?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 8

Does the constitution recognize Indigenous peoples' rights to collective ownership of land, to protection of their territories, and to manage and conserve natural resources?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 9

Does the constitution recognize the rights of nature? Does the constitution specify who is entitled to take legal action to protect the environment?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 10

Does the constitution outline state duties to safeguard the environment, protect biodiversity and address environmental degradation?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 11

Does the constitution include commitments to forest cover with minimum thresholds to contribute to environmental protection?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 12

Does the constitution contain protections for fragile and threatened ecosystems or ecosystems of special importance?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 13

Does the constitution contain provisions establishing protected areas for nature and wildlife?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 14

Does the constitution regulate pollution and waste management, including hazardous waste?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 15

Does the constitution address disaster risk reduction and response?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 16

Does the constitution address climate change and strategies for mitigation and adaptation?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 17

Does the constitution promote responsible and sustainable business practices in relation to the environment?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 18

Does the constitution prioritize human and environmental well-being over economic development?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 19

Does the constitution safeguard the public interest when permitting the privatization of natural resources?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 20

Does the constitution encourage the development and use of renewable energy and environmentally friendly technologies?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 21

Does the constitution direct state policy towards environmental protection?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 22

Does the constitution require consultation with local communities in decisions affecting the environment or natural resources in their vicinity?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 23

Does the constitution obligate the government to consult in good faith with Indigenous peoples or to seek their free, prior and informed consent before implementing development projects and other policies that have an impact on Indigenous lands, territories, rights and resources?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 24

Does the constitution require environmental impact assessment of activities that may negatively impact the environment, health or interests of peoples or communities?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 25

Does the constitution incorporate the environmental law principles of prevention, precaution and non-regression?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 26

Does the constitution outline the roles and responsibilities of different levels of government in environmental protection?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 27

Does the constitution require consideration of environmental protection in urban and development planning?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 28

Does the constitution promote environmental education and awareness among citizens?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 29

Does the constitution require public disclosure of contracts related to natural resources? Does it require legislative authorization, ratification or oversight of such contracts?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 30

Does the constitution incorporate environmental protection responsibilities into independent bodies' mandates and responsibilities?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 31

Does the constitution establish environmental courts and tribunals?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 32

Does the constitution mandate the public prosecutor to take legal action to protect the environment?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 33

Does the constitution outline liability for environmental damage (i.e. polluter-pays principle) binding private actors? Does it exempt environmental harms from time limits on bringing legal actions?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 34

Does the constitution outline the legal remedies available to citizens or organizations to enforce environmental rights and challenge harm to the environment? Does it allow for broad legal standing to bring environmental cases?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 35

Does the constitution promote international cooperation and coordination for the protection of the environment and natural resources?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

Question 36

Does the constitution establish that regional and international human rights treaties take effect automatically upon ratification, or is a domestication process required? What is the status of international law in relation to the constitution and ordinary law?

FINDINGS

Answer to the question (Y/N) and other notes and observations about how well the constitution addresses the issue(s) raised in the question. Include relevant provisions (article number(s) and text of the provision(s)). Also note inconsistent and/or contradictory provisions, or if no relevant provisions exist.

ACTIONS

Suggested advocacy and other follow-on actions to address or disseminate findings.

The *Environmental Protection in Constitutions Assessment Tool* helps users to understand and assess how their country protects the environment.

Use this workbook alongside the *Environmental Protection in Constitutions Assessment Tool* to document your findings and develop proposals for legal and constitutional reform.