

## **SUSTAINABLE DEVELOPMENT AND THE PROTECTION OF HUMAN DIGNITY: LEGAL PERSPECTIVES BETWEEN INTERNATIONAL AND EU LAW**

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**Abstract:** *The principle of human dignity has become increasingly central in international and European legal discourse. It functions both as a foundational value and as a legal standard for a rights-based approach to sustainable development. The 2030 Agenda explicitly links dignity, equality, and environmental well-being. The paper examines the normative and procedural connections between dignity and sustainable development in international and EU law. It analyses the legal status of dignity in international treaties and EU primary law. The study highlights dignity's potential to guide legal interpretation and sustainability policies. Selected case law shows courts increasingly invoking dignity in environmental and climate-related cases. The paper also explores dignity's role in addressing climate inaction and social exclusion. Special attention is given to the protection of vulnerable groups and future generations. Ultimately, it argues for recognizing dignity as a normative benchmark and enforceable right in sustainability law.*

**Key words:** *human dignity, sustainable development, human rights, environmental justice, EU law, climate litigation, vulnerable groups*

### **1. Introduction**

#### **1.1. Context and relevance**

In the 21st century, human societies face a convergence of existential challenges, climate change, resource depletion, biodiversity collapse, pandemic risks, and persistent social inequalities. In response, law and policy at the global and regional levels have increasingly turned to the concept of sustainable development as a normative and operational framework. Defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs, this concept, first introduced in the 1987 Brundtland Report, has since evolved into a cornerstone of international cooperation, notably through the 2030 Agenda for Sustainable Development.

Concurrently, the principle of human dignity, long present in international human rights law—has gained renewed prominence, particularly in the legal orders of the European Union and the Council of Europe. Dignity has shifted from a philosophical

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abstraction to a legally actionable standard, invoked by courts, legislators, and institutions as a means to assess the fairness, legitimacy, and proportionality of public and private actions.

### **1.2. Research objective**

This paper investigates the interplay between human dignity and sustainable development in legal terms. It explores how dignity can function not only as a moral foundation but also as a legal principle guiding the interpretation, application, and enforcement of sustainability-related norms. The paper argues that integrating dignity into the normative structure of sustainability law can enhance both the legitimacy and the efficacy of environmental and social protection.

In particular, this study seeks to: Reconstruct the legal status of dignity in international and EU law; Analyse how dignity informs judicial decisions related to climate change and environmental protection; Assess how dignity can serve as a framework for protecting vulnerable groups and intergenerational equity; Propose ways to institutionalize dignity as a benchmark in sustainability governance.

### **1.3. Methodology and structure**

The paper adopts a comparative and interdisciplinary legal methodology, drawing from international treaties, EU law, constitutional practice, and recent jurisprudence. It includes doctrinal analysis, legal interpretation, and normative evaluation.

The structure is as follows: Section 2 explores the legal concept of human dignity in international and EU frameworks; Section 3 examines the link between dignity and sustainable development; Section 4 analyses the relevance of dignity to the protection of vulnerable populations; Section 5 reviews landmark judicial and institutional practices; Section 6 presents a critical reflection on challenges and future developments; Section 7 offers concluding remarks and proposals.

## **2. The Principle of Human Dignity in International and European Law**

### **2.1 Human dignity in International Law**

The concept of human dignity has long been central to the philosophical foundations of human rights, but its legal codification in international law began in earnest after World War II. The Charter of the United Nations (1945) affirms in its preamble the determination “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person.” This foundational language sets the tone for the Universal Declaration of Human Rights (UDHR, 1948), where Article 1 famously proclaims: “All human beings are born free and equal in dignity and rights.” The notion of dignity is reiterated in key binding instruments such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both adopted in 1966. These documents, taken together with the UDHR, form the International Bill of Human Rights. While dignity is not always framed as a separate, enforceable right, it operates as an interpretive cornerstone for understanding other rights, particularly the rights to life, health, food, shelter, and non-discrimination.

Subsequent instruments, including the Convention on the Rights of the Child (1989), the Convention on the Rights of Persons with Disabilities (CRPD, 2006), and regional human rights treaties, such as the American Convention on Human Rights and the African Charter on Human and Peoples' Rights, reaffirm dignity as either a legal right or an essential value of human identity and autonomy. Crucially, human dignity is increasingly cited in emerging areas of international law, such as climate change, bioethics, and migration, suggesting its evolving nature as a guiding principle beyond traditional civil and political contexts (Nino, 2023).

## **2.2. Human dignity in EU Law and the ECHR system**

In the European Union, human dignity enjoys a particularly elevated status. Article 1 of the Charter of Fundamental Rights of the European Union (CFREU) states unequivocally: "Human dignity is inviolable. It must be respected and protected." This formulation assigns both intrinsic and instrumental value to dignity, it is to be respected (as an inherent quality) and protected (through legal action and policy). Since the Lisbon Treaty came into force in 2009, the Charter has acquired binding legal effect, making dignity enforceable before the Court of Justice of the European Union (CJEU) in areas within the scope of EU law. The CJEU has referenced dignity in judgments concerning bioethics, reproductive rights, asylum, social welfare, and anti-discrimination. For instance, in the Test-Achats case (C-236/09), the Court struck down insurance premium differentials based on gender, citing the equality and dignity of individuals. In parallel, the European Court of Human Rights (ECtHR), operating under the European Convention on Human Rights (ECHR), has developed a robust, if somewhat implicit, jurisprudence on dignity. Although the Convention does not contain a stand-alone provision on dignity, the Court has interpreted Articles 2 (right to life), 3 (prohibition of torture), and 8 (private life) in light of human dignity. Notable cases such as *Pretty v. the United Kingdom* (2002), *M.S.S. v. Belgium and Greece* (2011), and *Paposhvili v. Belgium* (2016) underscore the centrality of dignity in matters ranging from detention conditions to end-of-life decisions and healthcare access.

## **3. Human Dignity and Sustainable Development: Normative and Functional Convergence**

### **3.1. The 2030 agenda and its human-centred vision**

The adoption of the 2030 Agenda for Sustainable Development by the United Nations General Assembly in 2015 marks a watershed moment in global governance. The Agenda explicitly states that it is "determined to end poverty and hunger, in all their forms and dimensions, and to ensure that all human beings can fulfil their potential in dignity and equality and in a healthy environment." This vision reflects a shift away from purely economic metrics of development (such as GDP) toward a more holistic, people-centred paradigm. The Sustainable Development Goals (SDGs) reinforce this shift by addressing environmental sustainability (SDG 13: Climate Action), social justice (SDG 10: Reduced Inequalities), economic opportunity (SDG 8: Decent Work), and institutional reform (SDG 16: Peace, Justice and Strong Institutions). Human dignity is not confined to a single SDG; it permeates the entire framework as an underlying ethical and legal rationale.

### **3.2. Legal dimensions of human rights-based approaches**

Sustainable development, as framed by the Agenda 2030, is increasingly implemented through Human Rights-Based Approaches (HRBAs). These approaches require that all development efforts be anchored in the normative framework of international human rights law, including the principles of universality, indivisibility, accountability, participation, and non-discrimination, all of which are intimately connected to dignity. In legal practice, HRBAs guide the design, implementation, and evaluation of policies and programmes, especially those concerning environment, health, education, and livelihoods. Courts and institutions using HRBAs are more likely to assess whether development policies ensure that individuals and communities live in conditions that respect their dignity, and whether states meet their positive obligations to protect such conditions.

### **3.3. Dignity as a measure of sustainability**

In recent legal and academic discourse, dignity has emerged not only as a moral reference but as a functional legal tool for evaluating sustainability. It provides an evaluative criterion for:

- a. Whether sustainability strategies are inclusive;
- b. Whether the burdens of ecological transition are fairly distributed;
- c. Whether future generations' rights are considered;
- d. Whether essential needs are met without discrimination.

This reconceptualization helps reconcile human rights and environmental protection, historically seen as separate domains (Poto, 2021).

## **4. The Role of Dignity in Protecting Vulnerable Groups**

### **4.1. Disproportionate vulnerabilities and legal gaps**

Environmental harm and unsustainable development disproportionately impact vulnerable populations, including indigenous peoples, migrants, children, women, the elderly, and persons with disabilities. These communities are often excluded from decision-making processes, lack legal remedies, and suffer from cumulative injustices that undermine their dignity (Sen, 1999). Climate change intensifies this problem by creating new categories of vulnerability, such as climate-displaced persons who are not formally recognized as refugees under existing international law. The absence of a specific legal status for such individuals exposes a gap in the protective framework of human rights and humanitarian law.

### **4.2. Climate Displacement and Emerging Case Law**

One of the first major legal recognitions of this gap occurred in *Teitiota v. New Zealand* (2020), where the UN Human Rights Committee acknowledged that environmental degradation could constitute a violation of the right to life and dignity under Article 6 of the ICCPR. Although the Committee did not find a breach in this case, it laid the groundwork for future claims. Regional courts and UN bodies are now more receptive to arguments that climate-related displacement, food insecurity, and loss of land constitute violations of dignity-based rights, particularly when states fail to act with due diligence or disproportionately burden certain populations.

### **4.3. Equitable access to basic services**

In a dignity-centred legal framework, access to water, sanitation, energy, healthcare, and education is not merely a matter of policy discretion, it becomes a legal entitlement. Courts in Colombia, India, and South Africa have issued landmark rulings recognizing the essential role of these services in enabling individuals to live with dignity. By recognizing the interdependence of environmental and social rights, legal systems can institutionalize mechanisms to prioritize the needs of the most marginalized, thereby transforming sustainability from a generic objective into a justice-based strategy.

## **5. Case Law and Institutional Practices: From Theory to Enforcement**

### **5.1. Strategic climate litigation and dignity**

Courts around the world are increasingly engaging in strategic climate litigation that frames state inaction as a violation of dignity-related rights.

I. In *Urgenda Foundation v. Netherlands* (2019), the Dutch Supreme Court ruled that the government's failure to adequately reduce greenhouse gas emissions violated the right to life and well-being under the ECHR, emphasizing the dignity of citizens, especially future generations.

II. In *KlimaSeniorinnen v. Switzerland* (2024), the ECtHR sided with elderly women who argued that inadequate climate action by the Swiss government violated their rights to private and family life, physical integrity, and dignity. These cases mark a shift from environmental protection as a policy goal to a matter of legal obligation, enforceable through human rights courts.

### **5.2. Institutional models: EU Green Deal and beyond**

The European Green Deal, launched by the European Commission in 2019, explicitly aims to make the EU climate-neutral by 2050 while ensuring that the transition is "just and inclusive." The Just Transition Mechanism, part of this strategy, is designed to assist regions and workers most affected by the shift away from carbon-intensive industries.

Similarly, the Farm to Fork Strategy emphasizes sustainable food systems while prioritizing public health, animal welfare, and environmental integrity, all framed around the dignity and rights of both consumers and producers.

## **6. Critical Reflections and Legal Challenges**

### **6.1. Risks of symbolic use**

Despite its centrality, human dignity often remains conceptually vague or rhetorically inflated. When not grounded in enforceable legal frameworks, dignity risks becoming a symbolic reference devoid of practical significance.

### **6.2. Fragmented protection**

Dignity is protected in multiple legal instruments but lacks universal codification as a standalone, enforceable right. This fragmentation limits its justiciability and weakens its impact in transnational litigation, especially in environmental and climate-related cases.

### 6.3. Need for legal innovation

A forward-looking sustainability agenda must develop new legal instruments and standards that give concrete form to dignity. This includes:

- i. Expanding justiciable rights linked to climate, water, and food;
- ii. Enhancing procedural safeguards for vulnerable communities;
- iii. Recognizing the rights of future generations and nature.

## 7. Conclusions

This paper has demonstrated that human dignity and sustainable development are not only compatible but mutually reinforcing concepts. By embedding dignity in the legal architecture of sustainability, lawmakers, courts, and institutions can ensure that ecological transition aligns with human rights, justice, and inclusion.

To achieve this, it is necessary to move beyond symbolic affirmations and toward legally enforceable frameworks that protect both current and future generations. The integration of dignity into legal norms, policies, and institutional practices is essential for achieving sustainability that is not only resilient but truly human-centred.

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