

REPUBLIC



OF CYPRUS

171(I) of 2024

THE NINETEENTH AMENDMENT OF THE CONSTITUTION

LAW OF 2024

(English translation)

Office of the Law Commissioner

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No.171 (I) of 2024

THE NINETEENTH AMENDMENT OF THE CONSTITUTION LAW OF 2024

Preamble. WHEREAS, the evolutionary process in safeguarding human rights favors the explicit recognition of the right to a healthy and sustainable environment,

AND WHEREAS, the United Nations Organization, the Council of Europe and organizations specialized in the human rights and the rule of law, assess that there is an increased need to prevent environmental destruction by states, but also by private entities and especially multinational corporations,

AND WHEREAS, the present generations have a duty towards future generations and therefore, it is urgent to reverse the environmental destruction and the consequential climate crisis which will affect future generations,

AND WHEREAS, we must recognize the principle of intergenerational responsibility and the individual and collective duty of all to prevent ecological destruction and to combat the climate crisis,

AND WHEREAS, threats arising from the ecological destruction and the climate crisis are considered one of the greatest challenges of humanity,

AND WHEREAS, the autonomous right to a safe, clean, healthy and sustainable environment is absent from the constitutional order of the Republic,

AND WHEREAS, the positive obligation of the state and the private sector, to act in a deterrent, preventive and repressive way, with the aim of protecting the natural environment in the context of the principle of sustainability, is absent from the constitutional order of the Republic,

AND WHEREAS, as a result of the continuing Turkish occupation and the special circumstances prevailing in the Republic, the Turkish Cypriots do not participate in the election and functioning of the House of Representatives,

AND WHEREAS, the law of necessity justifies the retention of the power of the House of Representatives to amend non basic provisions of the Constitution,

For all the aforesaid reasons, the House of Representatives enacts as follows:

Short title.

1. This Law may be cited as the Nineteenth Amendment of the Constitution Law of 2024.

Amendment of the Constitution by the addition of a new article 7A.

2. The Constitution is amended by the addition, immediately after article 7, of the following new article:

“ARTICLE 7A

1. Every person has the right to a safe, clean, healthy and sustainable environment.
2. Every person has the right to -
 - (a) have access to relevant information kept by the competent authorities of the Republic, without being subject to the obligation to prove a direct and personal legal interest as defined by law,

(b) access to justice for environmental matters subject to the provisions of Article 146, and

(c) effective remedy for the violation of any right resulting from this article and the relevant legislation.

3. The protection of the natural environment is an obligation of the state and for such protection the state is obliged to take preventive or repressive measures or restoration measures in the context of the principle of sustainability.

4. There shall be no interference with the exercise of this right except in accordance with the law and where it is necessary in the interest of the security of the Republic, the constitutional order, the territorial integrity, the public security, the public order, the public health or for the protection of the rights and liberties guaranteed by the Constitution to any person.”.