



Recommendation 1862 (2009)¹

Environmentally induced migration and displacement: a 21st-century challenge

Parliamentary Assembly

1. Referring to its [Resolution 1655 \(2009\)](#) on environmentally induced migration and displacement: a 21st-century challenge, the Parliamentary Assembly draws attention to the numerous activities carried out by the Council of Europe in relation to the environment and migration.
2. It welcomes the work the Committee of Ministers has previously undertaken in elaborating the European Convention on the Legal Status of Migrant Workers (ETS No. 93) as well as in promoting the 1998 United Nations Guiding Principles on Internal Displacement, leading to the adoption of Committee of Ministers Recommendation Rec(2006)6 on internally displaced persons. These recommendations are in line with the Guiding Principles, which include “persons displaced from their homes or places of habitual residence due to natural or man-made disasters”.
3. The Assembly recalls the Council of Europe's duty to promote the universal protection of human rights for all vulnerable groups and to improve, whenever necessary, legislation to this end. It encourages member states to assume a pioneering role in standard setting in the field of protection of people compelled to leave their homes mainly or exclusively for environmental reasons.
4. The Assembly is concerned about the gaps in international human rights and refugee law, which leave various categories of people who flee environmental disasters within their own countries or by crossing international borders, including European borders, without adequate legal protection.
5. It is equally concerned that people in Europe have no specific legal remedy against environmental degradation and climate change, due to human activity, that affect their health and safety.
6. Consequently, the Assembly invites the Committee of Ministers to:
 - 6.1. launch a dialogue among its member states with a view to promoting understanding of the existence and scale of the problems related to environmentally induced migration and encouraging concerted action. This action should aim at either improving the existing international protection framework or complementing it with new binding instruments, and prioritise the challenges of prevention, adaptation and development as integral elements of any international response;
 - 6.2. set up a working group, in co-operation with other European institutions, to carry out a comprehensive legal study on the gaps in existing international law and normative regulations with a view to an eventual elaboration of a European framework convention for the recognition of the status of environmental migrants, should this be deemed necessary;
 - 6.3. consider adding a new protocol to the European Convention on Human Rights (ETS No. 5), concerning the right to a healthy and safe environment; such a protocol would introduce the precautionary principle into the Convention and would reflect the way the concept of “human rights” has evolved since the Convention was drafted;

1. *Assembly debate* on 30 January 2009 (9th Sitting) (see [Doc. 11785](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mrs Ackeftoft; and [Doc. 11814](#), opinion of the Committee on the Environment, Agriculture and Local and Regional Affairs, rapporteur: Mr Ivanov). *Text adopted by the Assembly* on 30 January 2009 (9th Sitting).



- 6.4. continue to urge member states to incorporate the United Nations Guiding Principles on Internal Displacement and the 13 principles elaborated in Recommendation Rec(2006)6 of the Committee of Ministers in their national legislation;
- 6.5. encourage the United Nations and its other relevant partners to seek avenues for extending the Guiding Principles to include people displaced by gradual environmental degradation, and to consider developing similar guiding principles or guidelines to cover the rights of those moving across international borders for compelling environmental reasons ("external displacement");
- 6.6. avail its expertise on legal, environment and migration issues to the United Nations Inter-Agency Standing Committee working group or any other international co-operation body whose purpose is to set standards for the protection of environmental migrants;
- 6.7. adopt a recommendation calling on member states to develop, as part of their spatial planning policies, a common European approach to preventing and managing extreme climate events as the main cause of environmental migration;
- 6.8. encourage dialogue between environmental, migration and demographic research centres in Council of Europe member states to widen and deepen the understanding of root causes of environmentally induced migration;
- 6.9. give priority to the actions of the Council of Europe Development Bank that contribute to protecting and improving the environment. Projects that provide appropriate responses to urgent needs and to sustainable preventive action on environmental deterioration with a long-term perspective should be particularly supported;
- 6.10. support, in co-operation with international and financial institutions, the development of programmes to help the public adapt to the inevitable effects of climate change so as to reduce migration flows resulting from environmental factors.