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The climate crisis and the rule of law

Reply to Recommendation¹: Recommendation 2214 (2021)

Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2214 \(2021\)](#) "The climate crisis and the rule of law" and shares the Parliamentary Assembly's view that the climate crisis represents a major challenge for all humankind.
2. In response to the Parliamentary Assembly's call, the Committee would like to highlight that the Council of Europe, as a pioneer in promoting protection of the environment, has drawn up several treaties in this field. These include the 1979 Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) which was the first international treaty to protect both species and habitats and to bring countries together to decide how to act on nature conservation, the Convention on Civil Liability for Damage resulting from Activities Dangerous to the Environment from 1993 and the Convention on the Protection of the Environment through Criminal Law from 1998. The Bern Convention in particular has been ratified by almost all Council of Europe member States and remains pertinent to this day.
3. The Committee of Ministers takes note of the Parliamentary Assembly's specific proposal 5.1 to incorporate sustainable development and climate crisis-tackling objectives into all of the Council of Europe's activities and operations. At its 1418th Budget meeting, the Committee adopted the Council of Europe's Programme and Budget 2022-2025. This included the terms of reference which task the Organisation's intergovernmental committees with deliverables for the next four years, including those in the field of the afore-mentioned objectives. For instance, the Committee, noting with interest a number of Parliamentary Assembly recommendations on issues related to the protection of the environment and to the climate crisis as well as taking into account the Parliamentary Assembly's concerns on these important matters, has invited the Steering Committee on Human Rights (CDDH), in the context of its ongoing work on human rights and the environment, to consider the need for and feasibility of a further instrument or instruments.
4. Furthermore, the European Committee on Crime Problems (CDPC) is instructed to prepare a study on the feasibility and appropriateness of modernising the Convention on the Protection of Environment through Criminal Law (ETS No. 172) or of preparing a new instrument by the end of April 2022. The European Committee on Democracy and Governance (CDDG) shall address emerging challenges such as promoting the environmental sustainability of public action, notably through the preparation of a report on green public administration aimed at collecting and disseminating good practice and case studies and identifying guidance for administrations at local, regional and national level. The Steering Committee for Culture, Heritage and Landscape (CDCPP) provides States Parties to the European Cultural Convention and other relevant conventions with innovative standards, policies and strategies related to the sustainable management of culture, heritage and landscape and reflecting environmental and climate change challenges.
5. In addition to this non-exhaustive list of specific Council of Europe activities mentioned above, the Committee would also like to inform the Parliamentary Assembly that sustainable development and energy-saving objectives are among the priorities of the Organisation's Administrative Reform, and regular monitoring of progress in this area is presented to the Committee of Ministers.

1. Adopted at the 1426th meeting of the Ministers' Deputies (23 February 2022).



6. Moreover, the Committee points out that the Organisation is engaged in reducing its own carbon footprint, notably through managing the energy performance of its buildings. To this end, the Committee recently adopted decisions to accelerate the Capital Master Plan (CMP), which is the strategic plan to manage and maintain the Council of Europe's real estate over a 15-year period. The aim is to invest in a timely manner so as to create savings in energy consumption and costs, the target being to reduce energy consumption by 40% by 2030 and thereby be Green Deal approved. This is increasingly important, not only from a sustainable development point of view, but also financially due to the need to contain energy consumption in a context of growing energy prices and a zero real growth budget which has a fixed level of annual inflation.

7. In keeping with the Council of Europe's treaties on biodiversity, the Organisation is working to protect the environment by adopting other greening measures notably in the following areas: installations, energy, waste and paper management, catering, travel and health. Such measures include the management of green spaces where, for example, lawns are mowed less often and no pesticides or chemicals are used. Moreover, to mark its 70th anniversary, the Council of Europe signed the Charter on promoting biodiversity ("Tous unis pour plus de biodiversité") launched by Strasbourg, the Organisation's host city. Other measures include the elimination of plastic containers and the installation of tap water fountains to replace bottled water, the continued reduction of paper printing ("zero paper policy"), as well as the progressive replacement of the official car fleet by hybrid vehicles.

8. Furthermore, all those occupying the Organisation's premises who benefit from the services provided are encouraged to adopt individual good practices. The Committee recalls that a number of studies have shown that where employees act responsibly to protect the environment, they generate savings that can very quickly become greater than those made by investing in the buildings they occupy. The Committee expects some of the greening initiatives that have been put on hold due to current sanitary measures to be restored as soon as the epidemic situation allows, such as re-useable glass jars for catering.

9. Finally, the Committee welcomes the Parliamentary Assembly's proposals to encourage Council of Europe partners to implement the States' commitments with regard to the reduction of greenhouse gas emissions and to strengthen co-operation with other international organisations to consolidate efforts in tackling climate crisis issues.