Parliamentary Assembly
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Environmental impact of armed conflicts

Reply to Recommendation[1]: Recommendation 2246 (2023)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2246 (2023) on the "Environmental impact of armed conflicts". It has forwarded it to the European Committee on Crime Problems (CDPC), the Steering Committee for Human Rights (CDDH) and the Standing Committee of the Bern Convention for information and possible comments. It once again commends the Assembly for its unwavering concern for the protection of the environment and fully agrees that armed conflicts, wars and military aggression destroy human lives, health and living space.

2. Regarding the recommendations set out in paragraph 3, the Committee informs the Assembly that work has been completed or is ongoing in a number of sectors. Last year, the Committee of Ministers adopted Recommendation CM/Rec(2022)20 on human rights and the protection of the environment, which refers, in its preamble, to the environmental harm stemming from armed conflicts.

3. The Committee similarly invites the CDPC to bear in mind the Assembly's Recommendation and Resolution 2477 (2023) in the course of preparing a draft Convention superseding and replacing the European Convention on the Protection of the Environment through Criminal Law (ETS No. 172), notably as regards its potential scope in times of peace as well as in situations of armed conflicts, wartime or occupation, including, as appropriate, the feasibility of establishing the crime of ecocide.

4. Regarding the Bern Convention, the Committee of Ministers notes that the text of this instrument neither explicitly covers nor explicitly excludes environmental damage caused by an act of war or military hostilities. It invites the Standing Committee of the Bern Convention, as well as the Steering Committee for Culture, Heritage and Landscape (CDCPP), to bear in mind the Assembly's present recommendation and reflect on the need for recommendations on the protection of environmentally sensitive areas during armed conflicts along with a related review mechanism.

1. Adopted at the 1479th meeting of the Ministers' Deputies (31 October 2023).