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Political strategies to prevent, prepare for, and face the consequences of natural disasters

Reply to Recommendation[1]: Recommendation 2251 (2023)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2251 (2023) "Political strategies to prevent, prepare for, and face the consequences of natural disasters". The recommendation has been brought to the attention of the governments of the member States and forwarded to the relevant committees for information and possible comments.[2]

2. The Committee fully shares the Assembly's concerns about the consequences of natural disasters that directly affect human health, dignity and life. It notes the emphasis given to environmental issues in the Reykjavík Declaration adopted at the 4th Summit of Council of Europe Heads of State and Government in May 2023, which underscored "the role that the Council of Europe may play as an organisation working not only in the area of human rights, democracy and the rule of law, but with a longstanding and widely acknowledged track record in protecting the environment, environmentally friendly landscape management and public health".

3. The Committee of Ministers recalls its recent replies to Parliamentary Assembly Recommendations 2214 (2021) "The climate crisis and the rule of law" and 2211 (2021) "Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe", in which it presented some of the pioneering work already carried out by the Council of Europe in this area.

4. Regarding the Assembly's recommendation to draw up an additional protocol to the European Convention on Human Rights (paragraph 4.1), the Committee recalls its previous replies to Assembly Recommendations 1614 (2003) "Environment and human rights", 1885 (2009) "Drafting an additional protocol to the European Convention on Human Rights concerning the right to a healthy environment" and 2211 (2021) "Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe". In this context, it has been reiterated that the Convention system already indirectly contributes to the protection of the environment through existing Convention rights and their interpretation by the European Court of Human Rights in its case law, thereby offering protection in relation to environmental issues.

5. As concerns the drawing up an additional protocol to the European Social Charter (paragraph 4.2), the European Committee for Social Rights (ECSR) has addressed certain aspects of environmental protection through its monitoring procedures, in particular within the scope of application of Article 11 on the right to protection of health. This includes the right to a healthy environment, where States are required to take measures designed to remove the causes of ill health resulting from environmental threats such as pollution. While noting that the ECSR supports the Assembly's recommendation to draw up an additional protocol to the European Social Charter on the right to a safe, clean, healthy and sustainable environment, the Committee recalls that the interrelationship between the protection of social rights and environmental protection has been

1. Adopted at the 1480th meeting of the Ministers' Deputies (8 November 2023).
2. The Committee for Permanent Correspondents of the EUR-OPA Major Hazards Agreement, the Steering Committee for Culture, Heritage and Landscape (CDCPP), the European Committee of Social Rights (ECSR), the Steering Committee for Human Rights (CDDH), and the Standing Committee of the Bern Convention.

recognised to a certain extent by the ECSR, albeit only indirectly by treaty interpretation in the framework of the monitoring procedures. The Committee considers that in principle the Charter mechanisms would be well suited to monitor State compliance with obligations relating to systemic issues such as those related to the environment and the consequences of natural disasters.

6. Nevertheless, the Committee informs the Assembly that, in line with paragraph 4.1, the CDDH Drafting Group on human rights and the environment (CDDH-ENV) is currently working on a draft report on the need for and feasibility of a further instrument or instruments in this field, bearing in mind the proposals already made in Recommendation 2211 (2021) for additional protocols to the European Convention on Human Rights and the European Social Charter. The CDDH recalled that the Reykjavík Declaration includes a commitment to conclude as soon as possible this report and confirmed its intention to meet this commitment.

7. With regard to paragraph 4.4, the Committee informs the Assembly that, in February 2022, it took note of a report on the implementation of Recommendation CM/Rec(2016)3, covering questions of how businesses conduct environmental and human rights due diligence and how victims of human rights and environmental adverse impacts access remedies. Although a revision of Recommendation CM/Rec(2016)3 is not foreseen, the CDDH continues its activities in this area. For example, in December 2022, it organised a workshop on the implementation of human rights and environmental due diligence.

8. In accordance with paragraph 5, the Committee of Ministers underlines the important work undertaken by the EUR-OPA Major Hazards Agreement that pays particular attention to the most vulnerable populations. Mindful of the need for sharing scientific knowledge and establishing links across borders, EUR-OPA continues, in addition to intergovernmental co-operation, to develop within its Network of Specialised Scientific Centers technical scientific projects seeking to identify hazards affecting specific territories and to propose solutions aiming at risk reduction.

9. By working closely with EUR-OPA, the Steering Committee for Culture, Heritage and Landscape (CDCPP) convened an International Conference in 2018 on "Culture against disasters: protecting cultural landscapes as prevention of natural disasters" which led to the CM/Rec(2018)3 on cultural heritage facing climate change: increasing resilience and promoting adaptation. The Committee of Ministers recalls Recommendation CM/Rec(2020)7 on promoting the continuous prevention of risks in the day-to-day management of cultural heritage: co-operation with States, specialists and citizens.

10. The Committee notes the view of the Parliamentary Assembly (paragraph 6 of the recommendation) on the importance to incorporate appropriate funding to Council of Europe instruments focusing on nature, landscape and major hazards, in particular to the Council of Europe Landscape and Bern Conventions, which is being considered in the context of the discussion on the draft Programme and Budget 2024-2027.

11. In line with paragraph 8, the Committee of Ministers informs the Assembly that it has initiated the "Reykjavík process" on strengthening the work of the Council of Europe in the field of the environment, with the aim of making it a visible priority for the Organisation (Appendix V on "The Council of Europe and the environment").