Parliamentary Assembly
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Resolution 2545 (2024)[1]

Mainstreaming the human right to a safe, clean, healthy and sustainable environment with the Reykjavik process

Parliamentary Assembly

1. The Parliamentary Assembly recalls that the challenge of climate change constitutes a major existential emergency for humankind and that this emergency is mainly due to the lack of structural and long-lasting action.

2. The Assembly notes with dismay that the Council of Europe is now the only regional human rights system which has not yet formally recognised the right to a healthy environment.

3. For decades, however, the Assembly has been calling on the Council of Europe member States to take this step. In particular, it reaffirms its Recommendation 2211 (2021) "Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe", which was adopted unanimously.

4. The Assembly notes that at the 4th Summit of Heads of State and Government of the Council of Europe, held in Reykjavik on 16 and 17 May 2023, the Heads of State and Government recognised the urgency of additional efforts to protect the environment and to counter the impact of the "triple planetary crisis of pollution, climate change and loss of biodiversity" and its effects on human rights, democracy and the rule of law. An Inter-Secretariat Task Force on the Environment was established in January 2024 and has carried out a stocktaking survey of existing activities, planned activities and proposals for new activities. It also proposed elements for the development of a first Council of Europe strategy on the environment.

5. The Assembly also notes that, in 2024, the Committee of Ministers will have to follow up work on the feasibility of instruments on human rights and the environment and the draft convention superseding and replacing the Convention on the Protection of the Environment through Criminal Law (ETS No. 172).

6. Mindful of the importance of this strategic moment, almost one year on from the 4th Summit and three years after Recommendation 2211 (2021), the Assembly wishes to update its expectations and contribute to the implementation of the Reykjavik Process through concrete and realistic proposals.

7. The post-Reykjavik environment strategy will be implemented by and for the young generations and must be supported by civil society. The course must therefore be firmly fixed for the future and the bar set high, as the Council of Europe and its member States will be held accountable for decades to come. In this respect, the Assembly considers that the requirements in terms of accountability must be extremely strict: transparency, ethics, accessibility, responsibility, efficiency and reliability must be the watchwords of all the measures deployed.

8. The Assembly underlines the need for the future strategy to have a clear goal in terms of setting standards at European level and encourages decision makers to focus on drawing up a legally binding instrument, within the Council of Europe, recognising an autonomous right to a healthy environment.

1. *Assembly debate* on 18 April 2024 (12th sitting) (see Doc. 15955, report of Committee on Social Affairs, Health and Sustainable Development, rapporteur: Mr Simon Moutquin). *Text adopted by the Assembly* on 18 April 2024 (12th sitting).
See also Recommendation 2272 (2024).

9. The Assembly reiterates that the nature, content and implications of the right to a healthy environment have been widely documented for decades and have been the subject of a wealth of scientific, normative and judicial material.

10. The Assembly welcomes the fact that almost all Council of Europe member States recognise the right to a healthy environment in one form or another in their national legislation and that some systems have already adopted an ecocentric view of this right.

11. In terms of governance, ecological transition will not take place without the buy-in of citizens because of its far-reaching impact on lifestyles. In the Assembly's view, this implies that the future strategy must implement concrete and ambitious measures to promote social acceptance of environmental policies, ensuring meaningful and fully fledged citizen participation at national level.

12. In addition to compliance with environmental standards and policies, the Assembly encourages measures aimed at strengthening the resilience of the most vulnerable populations and ensuring their inclusion without discrimination in the transition to a sustainable future.

13. The Assembly believes that greater responsiveness can be achieved through the setting up of specialised environmental hubs in all branches of governance. This approach should be encouraged in the allocation of budgets to courts. For national parliaments to be involved in such developments and in environmental policies in general would also imply that they should have specialised bodies in place.

14. In the light of these considerations, the Assembly calls on the Council of Europe member States to:

14.1. continue to reflect continuously at national level on the nature, content and implications of the right to a healthy environment so that, in the near future, this right will be recognised in law as an autonomous human right in each member State;

14.2. step up their efforts to promote, in all governance bodies, the legitimacy and added value of the Council of Europe playing a leading role in drawing up a legally binding instrument recognising an autonomous right to a healthy environment;

14.3. engage in innovative projects to transform environmental governance and in particular to:

14.3.1. encourage the introduction of effective citizen participation mechanisms at national level, such as citizens' assemblies on climate, to promote social acceptance of environmental policies;

14.3.2. provide a framework, structure and support for local initiatives targeting the populations most vulnerable to environmental problems, such as programmes designed to mobilise young people from working-class backgrounds;

14.3.3. support the creation of specialised environmental hubs in all branches of governance.