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Call for the adoption of an additional Protocol to the European Convention on Human Rights on the right to a clean, healthy, and sustainable environment

To the Ministers of Foreign Affairs and to the Permanent Representatives of the Member States of the Council of Europe

Excellencies,

We, civil society organizations, social movements, and Indigenous Peoples Organizations signing this letter call for the swift recognition of the human right to a clean, healthy, and sustainable environment through an additional Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms. This demand reflects a core priority for children, youth and many other constituencies across the continent and is supported by a broad coalition of organizations working for human rights, environmental protection, gender equality, social inclusion, as well as trade unions and faith-based organizations.

The adverse impacts of the triple planetary crisis of climate change, pollution, and biodiversity loss can be felt by all people living in the Member States of the Council of Europe. Across the continent, more than 300,000 people die prematurely every year due to atmospheric pollution. The accelerating climate crisis fuels unprecedented heatwaves, prolonged droughts, repeated floods, sea-level rise, and disastrous wildfires that ravage communities and ecosystems. From the Mediterranean Sea to the Arctic Circle, entire ecosystems are collapsing and communities suffer from the consequences from the irreversible loss of biodiversity, affecting the supply of safe drinking water, contributing to poor air quality, threatening food security, decreasing the resilience of communities, and wiping out cultural practices. As a result, younger generations now grow up with new forms of anxiety. These crises exacerbate existing inequalities and most seriously affect the human rights of those already in marginalized situations.

In forty-two of the forty-six Council of Europe Member States, the right to a clean, healthy, and sustainable environment is already protected through national constitutions, legislation, court decisions, or as these States are Parties to the Aarhus Convention. The scale of the harms for people living in Europe, and the importance of coming to a unified approach in interpreting and implementing the right to a clean, healthy, and sustainable environment makes it imperative for the Council of Europe to urgently take decisive steps toward the adoption of a binding legal framework that recognizes and protects the right to a clean, healthy, and sustainable environment.

The adoption of an additional Protocol to the European Convention on Human Rights would provide the most powerful and impactful human rights-based response to the environmental crisis, filling a gap in human rights protection, leading to clarifying policies required and fostering accountability that is vital for the protection of present and future generations. It would reinforce and consolidate the legal protection of the right to a clean, healthy, and sustainable environment

throughout Europe, further ensuring the enjoyment of all human rights. It would also equip governments on the continent with additional legal norms to defend their policies against encroachments and abusive judicial actions by corporate actors.

The right to a clean, healthy, and sustainable environment has been recognized by international and regional bodies. The UN Human Rights Council recognized this right through a [resolution in October 2021](#), and the [UN General Assembly followed suit in July 2022](#). Significantly, every individual Member State of the Council of Europe voted in favor of the UN General Assembly's resolution. At the Reykjavik Summit of the Council of Europe, all Heads of State and of Government of the Council's forty-six Members committed to "strengthening [their] work at the Council of Europe on the human rights aspects of the environment based on the political recognition of the right to a clean, healthy, and sustainable environment as a human right." This human right is recognized in the main human rights treaties in other regions, most notably in the African Charter on Human and Peoples Rights, and in the 1988 Additional Protocol to the American Convention on Human Rights.

In light of the growing regional and global recognition of the right, we are convinced that an additional Protocol would reinforce existing obligations to respect, protect, and fulfill the human right to a clean, healthy, and sustainable environment. The Protocol would also inspire further and more progressive legislative and policy standards. It would encourage those Council of Europe Member States that have not yet legally recognized the right to affirm its recognition, promoting an equitable, shared responsibility among States in protecting a healthy environment.

The triple planetary crisis and the increasing impact of environmental degradation on human rights have led to an increase in related cases at the European Court of Human Rights, a trend that is expected to continue. While the Court has already affirmed States' obligations to protect existing human rights — such as the right to life (article 2) and to private and family life (article 8) — against environmental hazards, thereby creating a growing body of environmental human rights case law¹, an additional Protocol would consolidate the Court's jurisprudence and make it more coherent, contributing to greater legal certainty.

The explicit protection of the right to a clean, healthy, and sustainable environment under the European Convention of Human Rights would clarify States' positive obligations to undertake protection measures and policies. This would contribute to averting human rights violations that affect the enjoyment of other rights such as not only those contained in the Convention including the rights to life, to private and family life, and the prohibition of cruel, inhuman and degrading treatment, but also other rights such health, food, water, and culture. The protection of this right is especially crucial for those who face the greatest risk of environmental harm, such as children, young people, women, Indigenous Peoples, national minorities, individuals living in poverty, persons living with disabilities, older persons, refugees and migrants, displaced people, and other disproportionately impacted groups.

Recognizing this overarching right would complement and reinforce the existing legal framework, affirming the fundamental importance of a clean, healthy, and sustainable environment to all aspects of human dignity, equality, and freedom. In line with the subsidiary nature of the Convention's

¹ See for instance, [Manual On Human Rights And The Environment](#) (3rd edition), Council of Europe, February 2022.

protection system, it would enable the Court to maintain its current line of environmental jurisprudence while providing an additional legal basis in cases involving States that ratify the additional Protocol.

Under a legally binding Protocol, the protection of the right to a clean, healthy, and sustainable environment would send a powerful message both at national and international level, demonstrating and reaffirming Member States' commitment to addressing the triple planetary crisis. It would also send an unequivocal message of solidarity to environmental and human rights defenders who currently pay a grave price for their advocacy.

Faced with unprecedented crises, the time is now for the Council of Europe to fulfill and reaffirm its mandate to promote democracy, the rule of law, and human rights in all Member States by recognizing and protecting the right to a clean, healthy, and sustainable environment through the adoption of a Protocol to the European Convention on Human Rights.

Signatories:

"Hope For Children" CRC Policy Center

a tip: tap e.V.

Action Jeunesse pour le Développement (AJED)

Action4Justice UK

African Coalition on Green Growth (ACGG)

Afrihealth Optonet Association (AHOA)

Albanian Values (ALVA)

All Together in Dignity to overcome poverty (ATD Fourth World)

Alliance for Cancer Prevention

Alliance Santé Planétaire

Almatura & Partners

Amnesty International

Anti-Slavery International

ANTS – National Interests Advocacy Network

Apdhe Asociación pro derechos humanos de España

Armenian Forests Environmental NGO

Aroha

Article 19

ÄrztInnen für eine gesunde Umwelt

Asociación Mujeres con Voz

Asociación para la Justicia Ambiental

Asociación Pro Derechos Humanos de España (APDHE)

Associação de Estudos, Cooperação e Desenvolvimento (EOS) | Association for Studies, Development and Cooperation (Eos)

Associação dos Professores de Direito Ambiental do Brasil (APRODAB)

Association des Femmes de l'Europe Méridionale (AFEM)

Association des Femmes pour le Développement Durable (AFDD)

Association for Research on Treatment against Cancer (ARTAC)

Association for the Sustainability of the Earth System (ZERO)

Association Ipoma

Association Jeunes Agriculteurs (AJA)

Association SOS MCS (Sensibilité Chimique Multiple)

Associazione italiana del Patto per il Clima (EuClipa.it)

Aurora

Bankwatch Romania

Barranquilla+20 Foundation

Biodiversity Action Europe

BirdLife Estonia

Bischöfliches Hilfswerk Misereor e.V.

Bloom Association

BlueLink Foundation

Building and Wood Workers' International (BWI)

BUSINESS as NATURE — Association for Sustainable Growth and Production and the Circular Economy (BasN)

Campaign for Freedom of Information

Campax

Cantine sans plastique france

CEE Bankwatch Network

Center for Environment (FoE Bosnia and Herzegovina)

Center for Environment / Friends Of the Earth Bosnia and Herzegovina

Center for Environmental Democracy - Florozon

Center for environmental reasearch and information (Eko-svest)

Center for International Environmental Law (CIEL)

Centerfor Rightsand Democracy South Sudan (CRD)

Centre d'Estudis de Dret Ambiental de Tarragona (CEDAT)

Centre for Climatology and Applied Research

Centro de Asesoría y Estudios Sociales (CAES)

Changing Markets Foundation

ChemSec

Child Rights Information Center
Child Rights International Network (CRIN)
Clean Air Action Group
ClientEarth
Climate Action Network (CAN) Europe
Climate Cares Centre, Imperial College London
Climate Change and Law Network for Researchers (CLIMALEX)
Climate Ethics and Development Foundation
Climate Justice For Rosa
Climate Rights International
Coalition for an International Court for the Environment (ICE)
Committee on the Administration of Justice (CAJ) Northern Ireland
Connected Advocacy for Empowerment and Youth Development Initiative
Coopération Internationale pour le Développement et la Solidarité (CIDSE)
Corporate Europe Observatory
Cresol Associació
Deutsche KlimaStiftung / German Climate Foundation
Deutsche Umwelthilfe
Diritto Diretto
Disability Peoples Forum Uganda
Doctors of the World - Médecins du Monde
Eco-Accord
Ecodes
EcoLur Informational
Eden Center
EHA "Green World"
Eko-Zadar
Ekologi brez meja
Emonyó Yefwe International
Energies2050
Environmental Coalition on Standards (ECOS)
Environmental Investigation Agency
Environmental Justice Network Ireland
Environmental Rights Centre for Scotland
Environmental Rights Recognition Project/ King's College Legal Clinic
Estonian Environmental Law Center

Eurochild
Eurogeo
European Cancer and Environment Research Institute (ECERI)
European Confederation of Youth Clubs (ECYC)
European Council of Spatial Planners – Conseil européen des urbanistes (ECTP-CEU)
European Environmental Bureau
European Environmental Bureau (EEB)
European Lawyers Union (UAE)
European Network for community-led initiatives on climate change and sustainability (ECOLISE)
European Network for Environmental Medicine
European Network of Ombudspersons for Children (ENOC)
European Organisation of Military Associations and Trade Unions (EUROMIL)
European Parent's Association (EPA)
European Sex Workers Rights' Alliance (ESWA)
European Students' Union
European Water Movement
Everyday Plastic
Exeter Centre for Environmental Law
Faith for the Climate
Fédération Internationale des Jardins Familiaux
Federation of Young European Greens
Flemish Youth Council
Fondation Eboko
Food First Information and Action Network Germany (FIAN)
Fossilvrij NL
Foundation Atelier for Community Transformation (ACT)
France Nature Environnement
Franciscans International
Free Legal Advice Centres
Friends of the Earth - SPZ
Fundación Red Colombiana Para La Defensa de los Derechos Humanos, el medio Ambiente y la Paz
Fundación Sustenta
Gaialux asbl
Gallifrey Foundation
Générations Futures
Global Human Rights Group

Global Initiative for Economic, Social and Cultural Rights
Global Pact Coalition - Green Rights Coalition
Global River Protection Coalition
Global Youth Biodiversity Network Europe (GYBN)
Governance and Human Rights Research Group
Grandmother Act to Save the Planet (GASP)
Green Armenia
Green Front
Green Legal Impact Germany e.V.
Green Team
Greenpeace
Health and Environment Justice Support (HEJSupport)
Health Care Without Harm Europe
Heirs To Our Ocean
Helsinki Citizens Assembly Banja Luka
Human Development Research Initiative
Human Right House Banja Luka
Human Rights Association Turkey
Human Rights House Foundation (HRHF)
Human Rights Watch
Humusz Szövetség
Icatalist
Iceland Nature Conservation Association
IFEX
Improve Your Society Organization (IYSO)
Independent Institute for Environmental Issues
Indigenous Environmental Network
Initiative Earth
Innoeva Development Foundation
Institute for Agriculture and Trade Policy
Institute for the sustainable development of indigenous Lenca women of Honduras (IDESMULH)
Instituto Internacional de Derecho y Medio Ambiente / International Institute for Law and the Environment
Internacional Council of Jewish Women (ICJW)
International Association of River Keepers (Eco-Tiras)
International Charitable Organization "Environment – People - Law" (EPL)
International Commission of Jurists

International Council of Jewish Women
International Council on Social Welfare (ICSW) Europe
International Federation for Human Rights (FIDH)
International Federation of Action by Christians for the Abolition of Torture (FIACAT)
International Federation of Landscape Architects Europe
International Freedom of Expression Exchange (IFEX)
International Partnership for Human Rights
International Service for Human Rights
International Society of Doctors for Environment (ISDE)
International Union of Architects (UIA)
International Voluntary Service (IVS Great Britain)
International Work Group for Indigenous Affairs (IWGIA)
International Youth Health Organization
Irish Council for Civil Liberties
Italian Climate Network
Jeunes Ambassadeurs pour le Climat
Journalistes for Human Rights in North Macedonia
Just Fair
Just Planet
Justice Institute Guyana
Karibs Foundation
Klima-Allianz Schweiz / Alliance Climatique Suisse
Knowledgepanel
Kolping International
L'Association européenne des Cheminots

Law and Wildlife
Leave it in the Ground Initiative (LINGO)
Legal Center for the Protection of Human Rights and the Environment (PIC)
LIDIB - Human Rights Lab - University of the Balearic Islands
Liga voor de Rechten van de Mens (Netherlands League for Human Rights)
Ligue des droits de l'Homme France (LDH)
Ligue des droits humains Belgique
Low Carbon Economy Foundation
MIAMSI : Mouvement International des Milieux Sociaux Indépendants - Europe International
Milieudefensie/ Friends of the Earth NL
Minority Rights Group International

Naturefriends Greece
Naturvernforbundet
Next Energy Consumer
NGO "Save Pikuy"
No Plastic In My Sea
Norwegian forum for Development and Environment
Norwegian Helsinki Committee
Notre Affaire A Tous
Nourish Scotland
Oil Change International
Ökotárs-Hungarian Environmental Partnership Foundation
One Ocean Hub
Ośrodek Działań Ekologicznych "Źródła"
People in Need
Pesticide Action Network (PAN) Europe
Pesticide Action Network Netherlands
Plastic Change
Plastic Soup Foundation
Plataforma de Infancia
Plataforma Portuguesa das ONGD
Plataforma Portuguesa para os Direitos das Mulheres - Portuguese Platform for Women's Rights
Polish Zero Waste Association
Porgera Red Wara (River) Women's Association Incorporated (PRWWA INC)
Quaker Council for European Affairs
Reclame Fossielvrij
Restor
Right To Know CLG
River Action
Rural Women Empowerment Network.
Scientists for Future Netherlands
SCO "Office for Analytics and Advice on Sustainable Development"
Seal Research Trust
Seas At Risk
Service Civil International ivzw (SCI)
Social Tipping Point Coalitie
Soka Gakkai International

Spanish Ornithological Society (SEO)/BirdLife

Stamp Out Poverty

Sukaar Welfare Organization

Surfrider Foundation Europe

Sustentarse (Chile)

Sweden's Environmental Association of Law

TEMA, The Turkish Foundation for Combating Soil Erosion, for Reforestation and the Protection of Natural Habitats

Terra-1530

Thalassaemia International Federation

Thames Blue Green Economy

The European Law Students' Association (ELSA)

The Gaia Foundation

The Interfaith Center for Sustainable Development