

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

15 March 2024

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 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.

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

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:

- 1 a tip: tap e.V.
- 2 Action Jeunesse pour le Développement (AJED)
- 3 Action4Justice UK
- 4 Albanian Values (ALVA)
- 5 All Together in Dignity to overcome poverty (ATD Fourth World)
- 6 Alliance for Cancer Prevention
- 7 Alliance Santé Planétaire
- 8 Almatira & Partners
- 9 Amnesty International
- 10 Anti-Slavery International
- 11 Apdhe Asociación pro derechos humanos de España
- 12 Armenian Forests Environmental NGO
- 13 Article 19
- 14 ÄrztInnen für eine gesunde Umwelt
- 15 Asociación Mujeres con Voz
- 16 Asociación para la Justicia Ambiental
- 17 Asociación Pro Derechos Humanos de España (APDHE)
- 18 Associação de Estudos, Cooperação e Desenvolvimento (EOS)
- 19 Association des Femmes de l'Europe Méridionale (AFEM)
- 20 Association des Femmes pour le Développement Durable (AFDD)
- 21 Association for Research on Treatment against Cancer (ARTAC)
- 22 Association for the Sustainability of the Earth System (ZERO)
- 23 Association Ipoma

- 24 Association SOS MCS (Sensibilité Chimique Multiple)
- 25 Associazione italiana del Patto per il Clima (EuClipa.it)
- 26 Aurora
- 27 Bankwatch Romania
- 28 Biodiversity Action Europe
- 29 BirdLife Estonia
- 30 Bischöfliches Hilfswerk Misereor e.V.
- 31 Bloom Association
- 32 BlueLink Foundation
- 33 Building and Wood Workers' International (BWT)
- 34 Campaign for Freedom of Information
- 35 Campax
- 36 Cantine sans plastique france
- 37 CEE Bankwatch Network
- 38 Center for Environment (FoE Bosnia and Herzegovina)
- 39 Center for Environmental Democracy - Florozon
- 40 Center for environmental reasearch and information (Eko-svest)
- 41 Center for International Environmental Law (CIEL)
- 42 Centre d'Estudis de Dret Ambiental de Tarragona (CEDAT)
- 43 Centro de Asesoría y Estudios Sociales (CAES)
- 44 Changing Markets Foundation
- 45 ChemSec
- 46 Child Rights Information Center
- 47 Child Rights International Network (CRIN)
- 48 Civicus
- 49 Clean Air Action Group
- 50 ClientEarth
- 51 Climate Cares Centre, Imperial College London
- 52 Climate Change and Law Network for Researchers (CLIMALEX)
- 53 Climate Justice For Rosa
- 54 Climate Rights International
- 55 Coalition for an International Court for the Environment (ICE)
- 56 Committee on the Administration of Justice (CAJ) Northern Ireland
- 57 Coopération Internationale pour le Développement et la Solidarité (CIDSE)

- 58 Corporate Europe Observatory
- 59 Cresol Associació
- 60 Deutsche KlimaStiftung / German Climate Foundation
- 61 Deutsche Umwelthilfe
- 62 Diritto Diretto
- 63 Doctors of the World - Médecins du Monde
- 64 Eco-Accord
- 65 Ecodes
- 66 EcoLur Informational
- 67 Eden Center
- 68 Eko-Zadar
- 69 Ekologi brez meja
- 70 Energies2050
- 71 Environmental Coalition on Standards (ECOS)
- 72 Environmental Investigation Agency
- 73 Environmental Justice Network Ireland
- 74 Environmental Rights Centre for Scotland
- 75 Environmental Rights Recognition Project/ King's College Legal Clinic
- 76 Estonian Environmental Law Center
- 77 Eurochild
- 78 European Cancer and Environment Research Institute (ECERI)
- 79 European Confederation of Youth Clubs (ECYC)
- 80 European Environmental Bureau
- 81 European Environmental Bureau (EEB)
- 82 European Lawyers Union (UAE)
- 83 European Network for community-led initiatives on climate change and sustainability (ECOLISE)
- 84 European Network for Environmental Medicine
- 85 European Network of Ombudspersons for Children (ENOC)
- 86 European Organisation of Military Associations and Trade Unions (EUROMIL)
- 87 European Parent's Association (EPA)
- 88 European Students' Union
- 89 European Water Movement
- 90 Everyday Plastic
- 91 Exeter Centre for Environmental Law

- 92 Faith for the Climate
- 93 Fédération Internationale des Jardins Familiaux
- 94 Federation of Young European Greens
- 95 Fondation Eboko
- 96 Food First Information and Action Network Germany (FIAN)
- 97 Fossilvrij NL
- 98 Foundation Atelier for Community Transformation (ACT)
- 99 France Nature Environnement
- 100 Franciscans International
- 101 Free Legal Advice Centres
- 102 Fundación Sustenta
- 103 Gaialux asbl
- 104 Gallifrey Foundation
- 105 Générations Futures
- 106 Global Human Rights Group
- 107 Global Initiative for Economic, Social and Cultural Rights
- 108 Global Pact Coalition - Green Rights Coalition
- 109 Global Youth Biodiversity Network Europe (GYBN)
- 110 Governance and Human Rights Research Group
- 111 Green Armenia
- 112 Green Legal Impact Germany e.V.
- 113 Green Team
- 114 Greenpeace
- 115 Health and Environment Justice Support (HEJSupport)
- 116 Health Care Without Harm Europe
- 117 Helsinki Citizens Assembly Banja Luka
- 118 Human Development Research Initiative
- 119 Human Right House Banja Luka
- 120 Human Rights Association Turkey
- 121 Human Rights House Foundation (HRHF)
- 122 Humusz Szövetség
- 123 Icatalist
- 124 Iceland Nature Conservation Association
- 125 Independent Institute for Environmental Issues

- 126 Initiative Earth
- 127 Innovea Development Foundation
- 128 Institute for Agriculture and Trade Policy
- 129 Institute for the sustainable development of indigenous Lenca women of Honduras (IDESMULH)
- 130 Instituto Internacional de Derecho y Medio Ambiente
- 131 Internacional Council of Jewish Women (ICJW)
- 132 International Association of River Keepers (Eco-Tiras)
- 133 International Charitable Organization Environment – People - Law (EPL)
- 134 International Commission of Jurists
- 135 International Council of Jewish Women
- 136 International Federation for Human Rights (FIDH)
- 137 International Federation of Action by Christians for the Abolition of Torture (FIACAT)
- 138 International Freedom of Expression Exchange (IFEX)
- 139 International Partnership for Human Rights
- 140 International Service for Human Rights
- 141 International Society of Doctors for Environment (ISDE)
- 142 International Work Group for Indigenous Affairs (IWGIA)
- 143 International Youth Health Organization
- 144 Irish Council for Civil Liberties
- 145 Italian Climate Network
- 146 Journalistes for Human Rights in North Macedonia
- 147 Just Fair
- 148 Just Planet
- 149 Klima-Allianz Schweiz / Alliance Climatique Suisse
- 150 Knowledgepanel
- 151 Kolping International
- 152 L'Association européenne des Cheminots
- 153 Law and Wildlife
- 154 Le Laboratoire d'Océanographie et du Climat: Expérimentations et Approches Numériques IPSL
- 155 Leave it in the Ground Initiative (LINGO)
- 156 Legal Center for the Protection of Human Rights and the Environment (PIC)
- 157 Liga voor de Rechten van de Mens (Netherlands League for Human Rights)
- 158 Ligue des droits de l'Homme France (LDH)
- 159 Ligue des droits humains Belgique

- 160 Low Carbon Economy Foundation
- 161 Milieudefensie/ Friends of the Earth NL
- 162 Minority Rights Group International
- 163 Naturefriends Greece
- 164 Naturvernforbundet
- 165 Next Energy Consumer
- 166 No Plastic In My Sea
- 167 Norwegian forum for Development and Environment
- 168 Norwegian Helsinki Committee
- 169 Notre Affaire A Tous
- 170 Nourish Scotland
- 171 Oil Change International
- 172 Ökotárs-Hungarian Environmental Partnership Foundation
- 173 One Ocean Hub
- 174 Ośrodek Działań Ekologicznych "Źródła"
- 175 People in Need
- 176 Pesticide Action Network Netherlands
- 177 Plastic Change
- 178 Plataforma de Infancia
- 179 Plataforma Portuguesa para os Direitos das Mulheres - Portuguese Platform for Women's Rights
- 180 Polish Zero Waste Association
- 181 Quaker Council for European Affairs
- 182 Reclame Fossielvrij
- 183 Restor
- 184 Right To Know CLG
- 185 Scientists for Future Netherlands
- 186 Seas At Risk
- 187 Service Civil International ivzw (SCI)
- 188 Social Tipping Point Coalitie
- 189 Soka Gakkai International
- 190 Spanish Ornithological Society (SEO)/BirdLife
- 191 Stamp Out Poverty
- 192 Surfrider Foundation Europe
- 193 Sweden's Environmental Association of Law

- 194 Terra-1530
- 195 Thames Blue Green Economy
- 196 The European Law Students' Association (ELSA)
- 197 The Gaia Foundation
- 198 The Interfaith Center for Sustainable Development
- 199 The Kent Environment & Community Network
- 200 The Organization for Poverty Alleviation and Development (OPAD)
- 201 Union Professionnelle Internationale des Gynécologues et Obstétriciens
- 202 University Women of Europe (UWE)
- 203 Uplift
- 204 Volonteurope
- 205 Water Integrity Network e.V.
- 206 Wildlife and Countryside Link
- 207 Women Engage for a Common Future
- 208 Women's Environmental Network (Wen)
- 209 World Environmental Education Congress (WEEC Network)
- 210 World Future Council
- 211 World Organization of the Scout Movement
- 212 World's Youth for Climate Justice
- 213 Youth and Environment Europe
- 214 Youth4Nature
- 215 Zelena akcija / FoE Croatia
- 216 Zero Waste Kiel e.V.
- 217 Zero Waste Society