

Protecting the environment and human rights:

Council of Europe instruments and case law



The Council of Europe recognises the protection of the environment as a fundamental dimension of human rights. In response to the growing threats of pollution, climate change and biodiversity loss, the Organisation has made this issue a top priority. Over the years, it has developed a robust framework of standards, monitoring instruments and legal tools to support effective prevention, prosecution and international co-operation.

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The Reykjavik Declaration (2023)

A turning point: for the first time, member states politically recognise the link between climate action and human dignity.

The Reykjavik Declaration reinforces member states' commitment to:

- ▶ reaffirming that everyone has the right to a clean, healthy and sustainable environment;
- ▶ acknowledging that effective environmental protection is essential to ensure the enjoyment of human rights, such as the right to life and private and family life;
- ▶ developing new tools and standards to protect the environment;
- ▶ implementing these measures.

The Council of Europe Convention on the Protection of the Environment through Criminal Law (2025)

To be opened for signature in December 2025

The first international treaty to comprehensively define and criminalise environment-related offences.

Member states can now:

- ▶ prosecute offences such as unlawful pollution, hazardous waste, destruction of wildlife and deterioration of protected habitats;
- ▶ address intentional acts leading to environmental disasters, including those comparable to ecocide;
- ▶ establish dedicated judicial and prosecutorial units to strengthen enforcement;
- ▶ enhance international co-operation to tackle cross-border environmental crime;
- ▶ protect victims and whistle-blowers and ensure specialised training for legal and environmental professionals.

The Council of Europe Landscape Convention (2000)

The first international treaty to focus exclusively on the protection, management and planning of all landscapes (natural, rural, urban and peri-urban).

The convention focuses on:

- ▶ recognising landscapes as an essential part of people's quality of life, cultural identity and environmental well-being;
- ▶ promoting a democratic approach to landscape governance, with citizen involvement;



Human rights and the environment, a priority for the Council of Europe



Council of Europe Convention on the Protection of the Environment through Criminal Law



Explanatory report



Council of Europe Landscape Convention

- ▶ integrating landscape protection and management into domestic legislation and policy frameworks;
- ▶ encouraging international co-operation to address cross-border landscape challenges.

The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (1979)

The only legally binding international treaty dedicated specifically to nature conservation in Europe.

The Bern Convention guarantees:

- ▶ legal protection for species and habitats across Europe;
- ▶ binding obligations for member states to implement conservation measures;
- ▶ Mechanisms for monitoring and reporting on the state of biodiversity;
- ▶ opportunities for co-operation and technical support among states;
- ▶ access to justice for those affected by violations of the convention.

The European Court of Human Rights case law

Although the European Court of Human Rights (the Court) does not explicitly provide for a right to a healthy environment, it has increasingly developed its case law to address environmental harm and risks through dynamic interpretation of existing key rights:

- ▶ Article 2 (Right to life) – Industrial pollution, natural disasters;
- ▶ Article 8 (Private and family life) – Effects of environmental degradation;
- ▶ Protocol 1, Article 1 (Property rights) – Environmental damage to property.

Key areas covered: industrial pollution, waste management and natural disasters, recognising the profound impact environmental degradation can have on fundamental rights.



Bern Convention



Guide to the case law of the Court on the environment



Factsheet of the Court on environment-related cases



Department for the Execution of judgments of the Court – Thematic factsheet



Manual on human rights and the environment



HELP online course

The environment and human rights (six-hours free course)

Strategic framework

The Council of Europe Strategy on the Environment (2025-2030)

Adopted in Luxembourg in 2025, the strategy focuses on:

- ▶ aligning environmental policy with human rights through rights-based approaches and a just transition;
- ▶ strengthening democratic governance with transparency, public participation, accountability and access to justice;
- ▶ protecting environmental human rights defenders and whistle-blowers, and empowering youth and children activists;
- ▶ preventing and prosecuting environmental crimes, and reinforcing corporate accountability;
- ▶ safeguarding nature, wildlife, ecosystems, habitats and landscapes by integrating biodiversity and climate action, and promoting sustainable landscape planning.



Council of Europe Strategy
on the Environment
(2025-2030)



Action Plan related to the
Council of Europe Strategy
on the Environment

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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