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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

- FACT SHEET -

**THE BERN CONVENTION: A PRIORITY
BIODIVERSITY TREATY IN EUROPE**

*Document prepared by
the Directorate of Democratic Governance*

Information Note

THE BERN CONVENTION: A PRIORITY BIODIVERSITY TREATY IN EUROPE

THE CONVENTION IN A NUTSHELL

- Opened to signature in 1979, entered into force in 1982;
- 51 Parties (including the European Community, Belarus, and 4 African States), and 61 Observers (among which 21 International organisations and the most important INGOs in the field);
- Aims: to conserve Europe's wild flora and fauna and their natural habitats, including vulnerable and migratory species. The treaty also takes account of the impact that other policies may have on natural heritage and it recognizes the intrinsic value of wild flora and fauna, which needs to be preserved and passed to future generations.
- Obligations for Parties:
 - To draw and implement national policies for the conservation of wild flora and fauna, and their natural habitats;
 - To have regard to the conservation of wild flora and fauna in their planning and development policies and to co-operate with other States in their protection; and
 - To promote education and disseminate general information on the need to conserve species of wild flora and fauna and their habitats.
- Policy tools and standard setting:
 - 163 Recommendations to Parties adopted by the Standing Committee (e.g. climate change; biosafety; threatened species; protected areas; etc.);
 - 8 Resolutions;
 - 3 Declarations;
 - The setting up of a European network of protected areas (Emerald Network);

In addition, the Bern Convention produces 'traditional' conservation tools, such as action plans for threatened species and conservation strategies, code of conducts and guidance for Parties.
- Implementation: The strength of the Convention resides in the commitment of the Parties towards its implementation, as well as in the possibility for NGOs to contribute to its monitoring. In the "Bern Declaration" (2009), the Parties recognised "the unique role of the Convention in providing a co-ordinated and co-operative approach through legislative and administrative measures aimed at the conservation and sustainable use of wild fauna and flora, and natural habitats, in Europe".
- Monitoring mechanisms:
 - General, biennial and national reports on implementation;
 - Groups of experts;
 - Case-file system (system of complaints fully accessible to Parties, observers, NGOs and civil society).

In 2011 the Council of Europe's Task force on Convention Review, in charge of preparing recommendations to "Change Workshop Programme, Budget and Priorities", included the Bern Convention among the "core Council of Europe conventions", i.e. those which help shape the ideals and principles shared by all Council of Europe member States.

BIODIVERSITY CONSERVATION, DEMOCRACY, AND THE COUNCIL OF EUROPE

1. Biodiversity is the variety of life on Earth, comprising ecosystems, species and genes. It is essential to economic prosperity, social justice, security, health and other aspects of our daily life, including human well-being. Preserving biodiversity is crucial to successfully fight against the adverse impact of climate change.
2. Conservation of nature is undoubtedly a concern for European citizens, as shown by the growing memberships of “green NGO’s”¹ or by the increase in electoral gains by Green Parties in Europe and at global level. In addition, almost all governments of the world have ministries or departments in charge of nature protection. The Council of Europe contributed to the setting up of these democratic institutions at national level since the late sixties.
3. Loss of biodiversity is already undermining efforts to improve economic, social and environmental well-being in Europe and worldwide, having clear consequences on the quality of life of people. Major investment costs required to preserve our common natural heritage must be weighed up the numerous benefits, including economic ones, we receive from nature and ecosystem services.
4. The ecological crisis is putting at stake the maintenance of the common interest and the long-term survival of humankind. Climate change and rise in mean temperatures will bring irreversible changes threatening the livelihoods of people and causing massive extinct of species. In some parts of the World, the scarcity of resources is already causing civil conflicts and environmental migrations. The Bern Convention, Europe’s treaty on nature conservation, works for the preservation of most of our natural heritage and promotes participation and representation in the environmental debate, monitoring and, to some extent in the decision-making process.

ENVIRONMENT AND HUMAN RIGHTS²

The right to a healthy environment has already been recognised to a greater or lesser extent in numerous national constitutions and regional charters³. The European Court of Human Rights (ECHR) regularly examines complaints in which individuals argue that a breach of their Convention rights is the result of adverse environmental factors. Whilst the ECHR does not guarantee a specific right to a healthy and sound environment, the general standards deriving from it may nonetheless also apply to environmental matters:

- The human rights protected by the ECHR may be directly affected by adverse environmental factors. For instance, toxic smells from a factory or rubbish tip might have a negative impact on the health of individuals. Public authorities may be obliged to take measures to ensure that people are not seriously affected by adverse environmental factors.
- Adverse environmental factors may give rise to certain procedural rights for the individual concerned. The Court has established that public authorities must observe certain requirements as regards information and communication, as well as participation in decision-making processes and access to justice in environmental cases.

¹ Some examples: Royal Society for the Protection of Birds (RSPB, UK based NGO): over a million members, including 195,000 youth members, and the support of almost 18,000 volunteers ; Greenpeace : in 2012 it received 260m Euros in donations financial support by 2.9 million people; WWF : over 5 million members worldwide.

² Extracts from the « Manual on human rights and environment », updated in 2011 by the Steering Committee for Human Rights at the request of the Committee of Ministers. [Full text available here](#).

³ See for instance the constitutions of Belgium, Czech Republic, Hungary, Norway, Poland, Portugal, Slovakia, Slovenia, Spain and Turkey, which acknowledge a fundamental individual right to environmental protection, or those of Austria, Finland, France, Germany, Greece, the Netherlands, Sweden and Switzerland which enshrine environmental protection as a constitutional objective. See also South Africa, Brazil, Peru, Ecuador, South Korea and the Philippines or the Charter of Fundamental Rights of the European Union (2010/C 83/02).

➤ The protection of the environment may also be a legitimate aim justifying interference with certain individual human rights. For example, the Court has established that the right to peaceful enjoyment of one's possessions may be restricted if this is considered necessary for the protection of the environment.

The Court has already identified in its case-law issues related to the environment which could affect the right to life (**Art. 2 ECHR**), the right to respect for private and family life as well as the home (**Art. 8 ECHR**), the right to receive and impart information and ideas (**Art. 10 ECHR**), the right to an effective remedy (**Art. 13 ECHR**) and the right to the peaceful enjoyment of one's possessions (**Art. 1 of Protocol No. 1 to the ECHR**).

The European Committee of Social Rights has interpreted the right to protection of health (Art. 11) under the European Social Charter as including a right to a healthy environment.

Appendix I: Judgments and decisions of the European Court of Human Rights relevant to the environment

	Decision on admissibility or Judgment	Date	Articles of the Convention								
			2	3	6 (1)	13	8	10	11	1-P1	
<i>Arrondelle v. the United Kingdom*</i>	Admissible (friendly settlement)	15/7/1980				<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
<i>Zimmerman and Steiner v. Switzerland</i>	Judgment	13/7/1983			■						
<i>G. and E. v. Norway*</i>	Inadmissible	3/10/1983				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
<i>Baggs v. the United Kingdom*</i>	Partially admissible	16/10/1985			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
<i>Rayner v. the United Kingdom*</i>	Partially admissible	16/7/1986			<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>
<i>Vearnacombe and others v. the United Kingdom*</i>	Admissible	18/1/1989			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
<i>Powell and Rayner v. the United Kingdom</i>	Judgment	21/2/1990			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<i>S. v. France*</i>	Inadmissible	17/5/1990					<input type="checkbox"/>				<input type="checkbox"/>
<i>Fredin v. Sweden</i>	Judgment	18/2/1991			■						<input type="checkbox"/>
<i>Pine Valley Development Ltd v. Ireland</i>	Judgment	29/11/1991			<input type="checkbox"/>						<input type="checkbox"/>
<i>Zander v. Sweden</i>	Judgment	25/11/1993			■						
<i>López Ostra v. Spain</i>	Judgment	9/12/1994	<input type="checkbox"/>				■				
<i>Piermont v. France</i>	Judgment	27/4/1995							■		
<i>Matos e Silva Lda. and others v. Portugal</i>	Judgment	16/9/1996			■	<input type="checkbox"/>					■
<i>Buckley v. the United Kingdom</i>	Judgment	25/9/1996					<input type="checkbox"/>				
<i>Balmer-Schafroth and others v. Switzerland</i>	Judgment (GC)	26/8/1997			<input type="checkbox"/>	<input type="checkbox"/>					
<i>Guerra and others v. Italy</i>	Judgment (GC)	19/2/1998	<input type="checkbox"/>				■	<input type="checkbox"/>			
<i>Chassagnou and others v. France</i>	Judgment (GC)	29/4/1999								■	■
<i>McGinley and Egan v. United Kingdom</i>	Judgment	9/6/1998			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<i>L.C.B. v. the United Kingdom</i>	Judgment	9/6/1998	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>				
<i>Hertel v. Switzerland</i>	Judgment	25/8/1998			<input type="checkbox"/>		<input type="checkbox"/>		■		
<i>Steel and others v. the United Kingdom</i>	Judgment	23/9/1998						<input type="checkbox"/>			
<i>L'Association des Amis de St-Raphaël et Fréjus and others v. France</i>	Inadmissible	29/2/2000			<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>
<i>Athanassoglou and others v. Switzerland</i>	Judgment (GC)	6/4/2000			<input type="checkbox"/>	<input type="checkbox"/>					
<i>Pagliccia and others v. Italy</i>	Inadmissible	7/9/2000					<input type="checkbox"/>				
<i>Ünver v. Turkey</i>	Inadmissible	26/9/2000			<input type="checkbox"/>						<input type="checkbox"/>

<i>Sciavilla v. Italy</i>	Inadmissible	14/11/2000					<input type="checkbox"/>			
<i>Chapman v. the United Kingdom</i>	Judgment (GC)	18/1/2001			<input type="checkbox"/>		<input type="checkbox"/>			<input type="checkbox"/>
<i>Jane Smith v. the United Kingdom</i>	Judgment (GC)	18/1/2001			<input type="checkbox"/>		<input type="checkbox"/>			<input type="checkbox"/>
<i>Coster v. the United Kingdom</i>	Judgment (GC)	18/1/2001					<input type="checkbox"/>			<input type="checkbox"/>
<i>Thoma v. Luxembourg</i>	Judgment	29/3/2001							■	
<i>Dati v. Italy</i>	Inadmissible	22/1/2002					<input type="checkbox"/>			
<i>Burdov v. Russia</i>	Judgment	7/5/2002			■					■
<i>Demuth v. Switzerland</i>	Judgment	15/11/2002							<input type="checkbox"/>	
<i>Dactylidi v. Greece</i>	Judgment	27/3/2003			■	■				
<i>Papastavrou and others v. Greece</i>	Judgment	10/4/2003								<input type="checkbox"/>
<i>Kyrtatos v. Greece</i>	Judgment	22/5/2003			■		<input type="checkbox"/>			
<i>Hatton and others v. the United Kingdom</i>	Judgment (GC)	8/7/2003					■	<input type="checkbox"/>		
<i>Lam and others v. the United Kingdom</i>	Inadmissible	8/7/2003	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
<i>Fadeyeva v. Russia</i>	Partially admissible	16/10/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			
<i>Ashworth and others v. the United Kingdom</i>	Inadmissible	20/1/2004					<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<i>Taşkın and others v. Turkey</i>	Partially admissible	29/1/2004	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
<i>Gorraiz Lizarraga v. Spain</i>	Judgment	27/4/2004					<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<i>Aparicio Benito v. Spain</i>	Partly inadmissible and adjourned	4/5/2004	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>		
<i>Vides Aizsardzības Klubs v. Latvia</i>	Judgment	27/5/2004							■	
<i>Ledyayeva v. Russia</i>	Partially admissible	16/9/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
<i>Kapsalis et Nima-Kapsali v. Greece</i>	Inadmissible	23/9/2004				<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
<i>Giani v. Italy</i>	Inadmissible	28/10/2004			<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
<i>Balzarini and others v. Italy</i>	Inadmissible	28/10/2004					<input type="checkbox"/>	<input type="checkbox"/>		
<i>Ward v. the United Kingdom</i>	Inadmissible	9/11/2004			<input type="checkbox"/>			<input type="checkbox"/>		
<i>Taşkın and others v. Turkey</i>	Judgment	10/11/2004	<input type="checkbox"/>		■	<input type="checkbox"/>	■			
<i>Moreno Gómez v. Spain</i>	Judgment	16/11/2004							■	
<i>Öneryıldız v. Turkey</i>	Judgment (GC)	30/11/2004	■			■	<input type="checkbox"/>			■
<i>Botti v. Italy</i>	Inadmissible	2/12/2004	<input type="checkbox"/>				<input type="checkbox"/>			
<i>Steel and Morris v. the United Kingdom</i>	Judgment	15/2/2005			■				■	
<i>Fadeyeva v. Russia</i>	Judgment	9/6/2005							■	
<i>Okyay and Others v. Turkey</i>	Judgment	12/7/2005			■					
<i>Roche v. the United Kingdom</i>	Judgment (GC)	19/10/2005				<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>	<input type="checkbox"/>

N.A. and Others v. Turkey	Judgment	11/10/2005								■
Luginbühl v. Switzerland	Inadmissible	17/1/2006	□				□			
Valico S. R. L. v. Italy	Inadmissible	21/03/2006			□					□
Öçkan and others v. Turkey	Judgment	28/3/2006	□		■	□	■			
Ledayeva and Others v. Russia	Judgment	26/10/2006					■			
Giacomelli v. Italy	Judgment	2/11/2006					■			
Aparicio Benito v. Spain (French only)	Inadmissible	13/11/2006	□				□			
Murillo Saldias v. Spain	Inadmissible	28/11/2006	□		□	□				
Lemke v. Turkey	Judgment	7/6/2007	□		■	□	■			
Verein gegen Tierfabriken v. Switzerland	Judgment	4/10/2007			□			■		
Hamer v. Belgium (French only)	Judgment	27/11/2007			■		□			□
Z.A.N.T.E. - Marathonisi A.E. v. Greece	Judgment	6/12/2007								■
Budayeva and Others v. Russia	Judgment	22/3/2008	■			□				□
Borysiewicz v. Poland	Judgment	1/7/2008			■		□			
Turgut v. Turkey	Judgment	8/7/2008								■
Stoine Hristov v. Bulgaria (French only)	Judgment	16/10/2008					□			
Mangouras v. Spain	Judgment	8/1/2009	No violation of Article 5							
Tâtar v. Romania	Judgment	27/1/2009					■			
Satir v. Turkey	Judgment	10/3/2009			□					■
Brândușe v. Romania	Judgment	7/4/2009		■			■			
Verein gegen Tierfabriken v. Switzerland (no. 2)	Judgment (GC)	30/6/2009						■		
Leon and Agnieszka Kania v. Poland	Judgment	21/7/2009			■	□	□			
Depalle v. France	Judgment (GC)	29/3/2010								□
Băcilă v. Romania (French only)	Judgment	30/3/2010					■			
Brosset-Triboulet and Others v. France	Judgment (GC)	29/3/2010								□
Mangouras v. Spain	Judgment (GC)	28/9/2010	No violation of Article 5							
Deés v. Hungary	Judgment	9/11/2010			■		■			
Dubetska and Others v. Ukraine	Judgment	10/2/2011					■			
Ioan Marchiș and Others v. Romania	Inadmissible	28/6/2011					□			
Grimkovskaya v. Ukraine	Judgment	21/7/2011			□		■			
<p>* = Commission Decision GC = Grand Chamber P1 = Protocol No. 1 □ = Articles invoked ■ = Violation</p>										

Appendix II

Parliamentary Assembly, Committee on Environment, Agriculture and Local and Regional Affairs: List of adopted Recommendations

“Protection of the natural environment has to be regarded as a fundamental human right. One of the objectives I have set myself during my term of office is the integration of the right to a healthy environment into the European Convention on Human Rights, through an additional protocol.”

Mr. Lluís Maria de Puig,
President of the Parliamentary Assembly
of the Council of Europe (PACE)

28 March 2008

1. [13/04/2011](#) Recommendation 1964 “The need to assess progress in the implementation of the Bern Convention”
2. [12/11/2010](#) Recommendation 1947 “Noise and light pollution”
3. [12/11/2010](#) Recommendation 1946 “Military waste and the environment”
4. [30/04/2010](#) Recommendation 1918 “Biodiversity and climate change”
5. [02/10/2009](#) Recommendation 1888 “Towards a new ocean governance”
6. [30/09/2009](#) Recommendation 1885 “Drafting an additional protocol to the European Convention on Human Rights concerning the right to a healthy environment”
7. [29/09/2009](#) Recommendation 1883 “The challenges posed by climate change”
8. [25/06/2009](#) Recommendation 1879 “Renewable energies and the environment”
9. [13/03/2009](#) Recommendation 1863 “Environment and health: better prevention of environment-related health hazards”
10. [30/01/2009](#) Recommendation 1862 “Environmentally induced migration and displacement: a 21st century challenge”
11. [23/06/2008](#) Recommendation 1837 “The fight against harm to the environment in the Black Sea”
12. [18/04/2008](#) Recommendation 1835 “Sustainable development and tourism: towards quality growth”
13. [22/01/2008](#) Recommendation 1823 “Global warming and ecological disasters”
14. [26/01/2007](#) Recommendation 1786 “Towards responsible food consumption”
15. [21/11/2006](#) Recommendation 1776 “Seal hunting”
16. [30/06/2006](#) Recommendation 1761 “Preventing forest fires”
17. [29/05/2006](#) Recommendation 1752 “Conservation and use of the landscape potential of Europe”
18. [24/01/2006](#) Recommendation 1731 “Europe’s contribution to improving water management”
19. [23/11/2004](#) Recommendation 1689 “Hunting and Europe’s environmental balance”
20. [25/06/2004](#) Recommendation 1668 “Management of water resources in Europe”
21. [25/06/2004](#) Recommendation 1669 “Transboundary water basins in Europe”
22. [02/03/2004](#) Recommendation 1653 “Environmental accounting as a sustainable development tool”
23. [25/11/2003](#) Recommendation 1637 “Pan-European environmental co-operation: the Council of Europe’s role after the Kyiv Ministerial Conference and the Johannesburg Summit”
24. [25/11/2003](#) Recommendation 1638 “Sustainable development of mountain regions”
25. [27/06/2003](#) Recommendation 1614 “Environment and human rights”
26. [30/01/2003](#) Recommendation 1594 “Follow-up to the World Summit on Sustainable Development: a common challenge”
27. [03/09/2002](#) Recommendation 1575 “Introduction of a quality label for food products derived from hill farming”
28. [28/06/2002](#) Recommendation 1571 “Reducing environmental risks by destroying chemical weapons”

29. [25/04/2002](#) Recommendation 1558 “Fisheries in Europe’s semi-land-locked seas”
30. [26/01/2001](#) Recommendation 1502 “Interparliamentary co-operation in the Mediterranean and Black Sea basins”
31. [24/01/2001](#) Recommendation 1495 “Environmental impact of the war in Yugoslavia on South-East Europe”
32. [25/09/2000](#) Recommendation 1472 “Sharing water resources management data on Internet: role of the Council of Europe”
33. [17/05/2000](#) Recommendation 1461 “Council of Europe’s role in regional planning”
34. [04/11/1999](#) Recommendation 1430 “Access to information, public participation in environmental decision-making and access to justice — implementation of the Århus Convention”
35. [04/11/1999](#) Recommendation 1431 “Future action to be taken by the Council of Europe in the field of environment protection
36. [04/11/1998](#) Recommendation 1393 “Management and protection of the landscape: a European convention”
37. [24/09/1998](#) Recommendation 1388 “The oceans: state of the marine environment and new trends in international law of the sea”
38. [30/01/1998](#) Recommendation 1359 “Sustainable development in the Mediterranean and Black Sea basins”
39. [19/03/1997](#) Recommendation 1320 “Education, training and advisory services in agriculture, fisheries and forestry”
40. [26/01/1996](#) Recommendation 1289 “Animal welfare and livestock transport in Europe”
41. [27/06/1995](#) Recommendation 1274 “Draft European charter of mountain regions”
42. [18/05/1994](#) Recommendation 1241 “Application of conventions concerning the environment”
43. [27/01/1994](#) Recommendation 1232 “Management of water resources in relation to agriculture”
44. [04/11/1993](#) Recommendation 1227 “Pollution of the seas”
45. [01/10/1993](#) Recommendation 1225 “Management, treatment, recycling and marketing of waste”
46. [05/02/1993](#) Recommendation 1209 “Nuclear power plants in central and eastern Europe”
47. [07/05/1992](#) Recommendation 1186 “Environment policy in Europe (1990-91)”
48. [28/06/1991](#) Recommendation 1157 “Preservation and management of freshwater resources in Europe”
49. [01/02/1991](#) Recommendation 1145 “Protection of East-West environment”
50. [29/09/1990](#) Recommendation 1132 “Protection of the North Sea and the Atlantic Seaboard”
51. [29/09/1990](#) Recommendation 1133 “European tourism policies”
52. [28/09/1990](#) Recommendation 1130 “Formulation of a European charter and a European convention on environmental protection and sustainable development”
53. [28/09/1990](#) Recommendation 1131 “Environment policy in Europe (1988-1989)”
54. [03/07/1990](#) Recommendation 1128 “State of Europe's freshwater fish population”
55. [28/09/1989](#) Recommendation 1115 “Transfrontier movements of toxic waste”
56. [01/07/1987](#) Recommendation 1060 “Protecting forests”
57. [27/01/1987](#) Recommendation 1048 “Consequences for agriculture of current soil degradation”
58. [22/09/1986](#) Recommendation 1045 “Combating forest fires in Europe”
59. [22/04/1986](#) Recommendation 1033 “Conservation of European wildlife”
60. [25/09/1985](#) Recommendation 1015 “Protection of the Mediterranean environment”
61. [01/02/1985](#) Recommendation 1006 “Measures to combat the effects of air pollution”
62. [29/01/1985](#) Recommendation 1003 “Marine pollution and fisheries”
63. [04/10/1984](#) Recommendation 997 “Regional planning and protection of the environment in European coastal regions”
64. [04/10/1984](#) Recommendation 998 “Environment and employment”
65. [11/05/1984](#) Recommendation 983 “United Nations Convention on the Law of the Sea”
66. [01/02/1984](#) Recommendation 977 “Air pollution and acid rain”
67. [01/02/1984](#) Recommendation 978 “Forestry in Europe and the world”
68. [25/01/1983](#) Recommendation 958 “Environment policy in Europe”

69. [29/01/1982](#) Recommendation 937 “Role of education in protection of the environment in Europe
70. [28/01/1981](#) Recommendation 913 “Future of European fisheries”
71. [27/01/1981](#) Recommendation 910 “Environment policy in Europe”
72. [27/01/1981](#) Recommendation 911 “Impact on the environment of major industrial installations”
73. [08/05/1979](#) Recommendation 860 “Dangers of over-population of domestic animals for the health and hygiene of man, and on humane methods of limiting such dangers”
74. [02/10/1978](#) Recommendation 846 “Energy and the Environment”
75. [02/10/1978](#) Recommendation 847 “European action to prevent oil pollution of waters and coasts”
76. [24/01/1978](#) Recommendation 825 “Protection of wildlife and on seal hunting”
77. [25/01/1977](#) Recommendation 798 “Conservation of the living resources of the seas”
78. [25/01/1977](#) Recommendation 800 “Environment policy in Europe”
79. [28/06/1976](#) Recommendation 783 “Protection of birds and their habitats in Europe”

Appendix III

Congress of local and regional authorities, Sustainable development/ Built and natural environment: List of main Recommendations and Resolutions

1. [RECOMMENDATION 339 \(2012\) / 22 March 2012](#) - Making cities resilient
2. [RESOLUTION 315 \(2010\) / 28 October 2010](#) - Sustainable development of mountain regions and the experience of the Carpathian Mountains
3. [RESOLUTION 317 \(2010\) / 28 October 2010](#) - Coastal towns and cities tackling threats from the sea
4. [RECOMMENDATION 298 \(2010\) / 28 October 2010](#) - Coastal towns and cities tackling threats from the sea
5. [RESOLUTION 312 \(2010\) / 27 October 2010](#) - Landscape: a new dimension of public territorial action
6. [RECOMMENDATION 292 \(2010\) / 27 October 2010](#) - Landscape: a new dimension of public territorial action
7. [RECOMMENDATION 281 \(2010\) / 18 March 2010](#) - After Copenhagen, cities and regions take up the challenge
8. [RESOLUTION 298 \(2010\) / 18 March 2010](#) - After Copenhagen, cities and regions take up the challenge
9. [RESOLUTION 278 \(2009\) / 04 March 2009](#) - Public water and sewer services for sustainable development
10. [RECOMMENDATION 259 \(2009\) / 04 March 2009](#) - Public water and sewer services for sustainable development
11. [RECOMMENDATION 230 \(2008\) / 18 March 2008](#) - Local and regional authorities committed to sustainable consumption
12. [RESOLUTION 248 \(2008\) / 18 March 2008](#) - Climate change: building adaptive capacity of local and regional authorities
13. [RESOLUTION 247 \(2008\) / 18 March 2008](#) - Local and regional authorities committed to sustainable consumption
14. [RESOLUTION 249 \(2008\) / 18 March 2008](#) - Biodiversity policies for urban areas
15. [RECOMMENDATION 232 \(2008\) / 18 March 2008](#) - Biodiversity policies for urban areas
16. [RECOMMENDATION 231 \(2008\) / 18 March 2008](#) - Climate change: building adaptive capacity of local and regional authorities
17. [RECOMMENDATION 215 \(2007\) / 31 May 2007](#) - Climate Change: approaches at local and regional level
18. [RESOLUTION 236 \(2007\) / 31 May 2007](#) - Climate Change: approaches at local and regional level
19. [RECOMMENDATION 191 \(2006\) / 02 June 2006](#) - Chernobyl, 20 years on: local and regional authorities dealing with disasters
20. [RESOLUTION 219 \(2006\) / 02 June 2006](#) - Reconciling heritage and modernity
21. [RESOLUTION 215 \(2006\) / 02 June 2006](#) - Chernobyl, 20 years on: local and regional authorities dealing with disasters
22. [RECOMMENDATION 190 \(2006\) / 02 June 2006](#) - Water management: a European contribution to the 4th World Water Forum
23. [RESOLUTION 213 \(2006\) / 02 June 2006](#) - Local and regional waste management and the siting of landfills
24. [RESOLUTION 214 \(2006\) / 02 June 2006](#) - Water management: a European contribution to the 4th World Water Forum
25. [RECOMMENDATION 189 \(2006\) / 15 April 2006](#) - Local and regional waste management and the siting of landfills
26. [RECOMMENDATION 174 \(2005\) / 02 June 2005](#) - Youth education for sustainable development: the role of the regions
27. [RECOMMENDATION 168 \(2005\) / 02 June 2005](#) - Natural and industrial disasters: local authorities facing emergencies

28. [RESOLUTION 204 \(2005\) / 02 June 2005](#) - Youth education for sustainable development: the role of the regions
29. [RESOLUTION 200 \(2005\) / 02 June 2005](#) - Natural and industrial disasters: local authorities facing emergencies
30. [RESOLUTION 193 \(2005\) / 17 March 2005](#) - Local and regional authorities and renewable energy sources
31. [RESOLUTION 192 \(2005\) / 17 March 2005](#) - Coastal management and local and regional authority policy in Europe
32. [RECOMMENDATION 161 \(2005\) / 17 March 2005](#) - Local and regional authorities and renewable energy sources
33. [RECOMMENDATION 160 \(2005\) / 17 March 2005](#) - Coastal management and local and regional authority policy in Europe
34. [RESOLUTION 183 \(2004\) / 27 May 2004](#) - The quality and the quantity of drinking water
35. [RESOLUTION 178 \(2004\) / 27 May 2004](#) - The contribution of Local and Regional Authorities to the implementation of the European Landscape Convention
36. [RECOMMENDATION 150 \(2004\) / 27 May 2004](#) - The contribution of Local and Regional Authorities to the implementation of the European Landscape Convention
37. [RESOLUTION 166 \(2003\) / 26 November 2003](#) - Follow-up to the World Summit on Sustainable Development
38. [RECOMMENDATION 138 \(2003\) / 22 May 2003](#) - Sustainable regions under global rules
39. [RESOLUTION 164 \(2003\) / 22 May 2003](#) - Sustainable regions under global rules
40. [RECOMMENDATION 137 \(2003\) / 22 May 2003](#) - The role of territorial authorities in the management of river basins
41. [RESOLUTION 163 \(2003\) / 22 May 2003](#) - The role of territorial authorities in the management of river basins
42. [RECOMMENDATION 108 \(2002\) / 22 March 2002](#) - Local authorities confronting natural disasters and emergencies
43. [RESOLUTION 129 \(2002\) / 22 March 2002](#) - Local authorities confronting natural disasters and emergencies
44. [RECOMMENDATION 106 \(2002\) / 21 March 2002](#) - Sustainable development and the liberalisation of the energy market
45. [RECOMMENDATION 107 \(2002\) / 21 March 2002](#) - The problems of Europe's countryside
46. [THE CONGRESS / CG\(8\)26 / 21 March 2002](#) - Explanatory Memorandum : Rio+10: towards the next World Summit on Sustainable Development
47. [RESOLUTION 126 \(2002\) / 21 March 2002](#) - Rio+10: towards the next World Summit on Sustainable Development
48. [RESOLUTION 127 \(2002\) / 21 March 2002](#) - Sustainable development and the liberalisation of the energy market
49. [RESOLUTION 128 \(2002\) / 21 March 2002](#) - The problems of Europe's countryside
50. [THE CONGRESS / CG \(8\) 27 E / 14 February 2002](#) - Explanatory Memorandum : Sustainable development and the liberalisation of the energy market
51. [RECOMMENDATION 100 \(2001\) / 31 May 2001](#) - Management of transboundary water resources in Europe - Strengthening the capacity of territorial authorities for a co-operation and sustainable integrated management
52. [RESOLUTION 120 \(2001\) / 31 May 2001](#) - Management of transboundary water resources in Europe - Strengthening the capacity of territorial authorities for a co-operative and sustainable integrated management
53. [OPINION 13 \(2000\) / 25 May 2000](#) - Opinion of the Congress of Local and Regional Authorities on the draft European Landscape Convention prepared by the select Committee of Experts set up by the Committee of Ministers
54. [RECOMMENDATION 73 \(2000\) / 02 March 2000](#) - Environmental consequences of the Kosovo conflict

55. [RECOMMENDATION 57 \(1999\) / 16 June 1999](#) - Local and regional economic instruments for the environment
56. [RESOLUTION 64 \(1998\) / 27 May 1998](#) - Nuclear safety and local/regional democracy
57. [RESOLUTION 62 \(1998\) / 27 May 1998](#) - The draft European landscape convention
58. [RECOMMENDATION 42 \(1998\) / 27 May 1998](#) - Nuclear safety and local/regional democracy
59. [RECOMMENDATION 40 \(1998\) / 27 May 1998](#) - The draft European landscape convention
60. [RESOLUTION 55 \(1997\) / 04 June 1997](#) - Local and regional financial instruments for the environment in Europe
61. [RESOLUTION 54 \(1997\) / 04 June 1997](#) - Sustainable development at local and regional levels
62. [RESOLUTION 53 \(1997\) / 04 June 1997](#) - The preliminary draft European landscape Convention
63. [RECOMMENDATION 31 \(1997\) / 04 June 1997](#) - The preliminary draft European landscape convention
64. [RESOLUTION 20 \(1995\) / 01 June 1995](#) - European Nature Conservation Year 1995
65. [RESOLUTION 4 \(1994\) / 02 June 1994](#) on "The Environment in Central and Eastern Europe: the role and responsibilities of local and regional authorities" and on "environmental co-operation between local and regional authorities in the Eastern Baltic region"
66. [RECOMMENDATION 3 \(1994\) / 02 June 1994](#) on "The Environment in Central and Eastern Europe: the role and responsibilities of local and regional authorities" and on "environmental co-operation between local and regional authorities in the Eastern Baltic region"

Appendix IV

Cases relevant to the environment, opened before the European Ombudsman in 2011

14/12/2011: [Handling of complaint in relation to unauthorised construction in an area protected under the Habitats Directive](#)

28/09/2011: [Decisions of the Commission to close the complainant's infringement complaint against Poland concerning the project for the construction of a road bridge in Torun with access roads \(alleged failure to comply with the environmental impact assessment procedure laid down in Council Directive 85/33 on the assessment of the effects of certain public and private projects on the environment\) and to finance the project from the cohesion funds](#)

19/05/2011: [Maximum permitted levels of radioactive contamination of foodstuffs in the EU before and after the Fukushima nuclear accident](#)

30/03/2011: [Handling of an infringement complaint against Greece concerning the construction of the landfill at 'Mavro Vouno Grammatikou' in Attica, Greece](#)

24/03/2011: [The complainant's request, made in accordance with Article 10 of Regulation 1367/2006 \(the Aarhus Regulation\), for a review of Commission opinion C\(2011\) 351 of 25 January 2011](#)

16/03/2011: [Handling of an infringement complaint concerning environmental protection in Poland](#)

01/03/2011: [Access to documents/information; the Commission's handling of complaints submitted by the complainant to the Commission alleging infringements of EU environmental law by the Irish authorities](#)

26/01/2011: [Failure to open infringement proceedings; sufficient statement of reasons for closing infringement complaint; access to environmental information; Findings of the Aarhus Convention Compliance Committee as grounds for an infringement complaint](#)

"The theoretical discussions on the relationship between human rights and environment raise salient questions concerning, inter alia, the need for and the potential content of a right to a healthy environment... This analysis and information generally is key to enable the Human Rights Council to provide guidance to the international community in regard to the pressing human rights challenges facing humanity in the twenty-first century, including the recognition of a general right to a healthy environment"

UN High Commissioner for Human Rights,
quote from the report
"Analytical study on the relationship between human rights
and the environment"