

Strasbourg, 12/03/2026

CDENV(2026)6prov

STEERING COMMITTEE ON THE ENVIRONMENT (CDENV)

**DRAFT COMMENTS OF THE CDENV ON RECOMMENDATION 536 (2025) OF THE
CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE**

**“AN ADDITIONAL PROTOCOL TO THE EUROPEAN CHARTER OF LOCAL SELF-
GOVERNMENT ON THE ENVIRONMENT”**

Foreword

The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) adopted Recommendation 536 (2025) on “An Additional Protocol to the European Charter of Local Self-Government on the environment” on 29 October 2025. This Recommendation was submitted to the Committee of Ministers, which decided to forward it to the CDENV, for information and possible comments, by 7 April 2026.

Action required

Members of the CDENV are invited to discuss the draft comments below with a view to their possible adoption.

Document prepared by the Secretariat

**Draft comments of the Steering Committee on the Environment (CDENV) on
Recommendation 536 (2025) of the Congress of Local and Regional Authorities of the
Council of Europe**

**“An Additional Protocol to the European Charter of Local Self-Government on the
environment”**

1. The Congress of Local and Regional Authorities of the Council of Europe (hereinafter “the Congress”) adopted Recommendation 536 (2025) on “An Additional Protocol to the European Charter of Local Self-Government on the environment” on 29 October 2025. The Recommendation was subsequently submitted to the Committee of Ministers, which decided to forward it to the Steering Committee on the Environment (CDENV), for information and possible comments, by 7 April 2026 (see [document CM/Del/Dec\(2025\)1544/12.1](#) of 26 November 2025).
2. In its Recommendation, the Congress acknowledges the role of local authorities as a central element of the response to the triple planetary threat that our societies face and stresses the importance of a comprehensive multilevel governance approach to address this threat effectively. To provide legal means for local authorities to fulfil their responsibilities and contribute effectively to the global response to climate change, the Congress considers that the European Charter of Local Self-Government should be supplemented with an additional protocol specifically dedicated to environmental protection at the local level. It therefore calls on the Committee of Ministers to consider drafting and adopting an Additional Protocol to the European Charter of Local Self-Government in order to ensure that member States enable local authorities to integrate environmental considerations in local governance to address the challenges arising from the triple planetary crisis and environmental degradation. The Congress invites the Committee of Ministers to initiate this process, in cooperation with the Congress, and taking into consideration the proposed contribution of the Congress (see paragraphs 3-5 of the Recommendation).
3. The CDENV considered the Recommendation at its first meeting, which was held in Strasbourg and online on 24 and 25 March 2026.
4. The CDENV welcomes the calls by the Congress for additional efforts to protect the environment, and to counter the impact of the triple planetary crisis of pollution, climate change and loss of biodiversity on human rights, democracy and the rule of law, as recognised in the Reykjavík Declaration, in particular Appendix V “The Council of Europe and the environment”. It recognises the critical role of local and regional authorities in responding to environmental and climate change challenges arising in their communities.
5. The CDENV underlines the Council of Europe Strategy on the Environment adopted at the 134th session of the Committee of Ministers in Luxembourg on 14 May 2025. The Strategy provides guidance to Council of Europe institutions, bodies, programmes and administration, including the Congress, facilitating the co-ordination of their work to meet five strategic objectives. The CDENV reiterates, in particular, Strategic Objective 2 - *Strengthening good democratic governance*, – and the importance of local and regional authorities in its achievement (see paragraphs 12.b, 16.a.ii., 17, 22, 24, 34 and 35).
6. The CDENV also recalls that an Action Plan has been drawn up to facilitate the implementation of the Strategy. One of the actions (Action 2.12) provides, at the request of the Congress, for the “Consideration of a draft Additional Protocol to the European Charter of Local Self-Government dedicated to environmental protection”. This would entail the Committee of Ministers mandating an intergovernmental committee to prepare a feasibility study for an Additional Protocol to the European Charter of Local Self-Government on the environment and, subsequently, on the basis of a further mandate, to prepare a draft of such a protocol.
7. The CDENV notes that in its Recommendation 536 (2025), the Congress highlights environmental protection as an essential part of local governance. The Committee also notes that,

according to the Congress, the proposal of an additional protocol to the European Charter of Local Self-Government on the environment is a clear and concrete contribution to the Council of Europe's effort to fight the triple planetary environmental crisis, that does not give additional meaning to the provisions European Charter of Local Self-Government but is rather a separate instrument that member States could choose to ratify. The effect of the Additional Protocol would be to support and guide local and regional authorities in helping member States to meet their existing environmental commitments.

8. The CDENV points out that in its [reply](#) to Congress [Recommendation 484 \(2022\)](#) ("A fundamental right to the environment: a matter for local and regional authorities – towards a green reading of the European Charter of Local Self-government") adopted on 18 October 2023 at the 1478th meeting of the Ministers' Deputies, the Committee of Ministers already stated "that care should be taken over any suggestion that the existing Charter should be viewed or interpreted through a particular lens; it is important to ensure that no additional meanings are read into provisions of the Charter that are not there." (see paragraph 7 of the reply).

9. In the light of the above, the CDENV suggests that the proposal by the Congress to draft an Additional Protocol to the European Charter of Local Self-Government on the environment be considered in the context of the discussions on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment, in particular as part of the discussions on drafting a stand-alone instrument on the environment.

Appendix

Recommendation 536 (2025) of the Congress of Local and Regional Authorities of the Council of Europe

“An additional protocol to the European Charter of Local Self-Government on the environment”

Recommendation 536 (2025)¹

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:
 - a. the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and the case-law of the European Court of Human Rights’ regarding the environment;
 - b. the European Social Charter (revised) (ETS No. 163);
 - c. the European Charter of Local Self-Government (ETS No. 122) and its Additional Protocol on the right to participate in the affairs of a local authority (CETS No. 207);
 - d. the European Landscape Convention (ETS No. 176);
 - e. the United Nations Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters (Aarhus, 1998);
 - f. the Final Declaration by the Presidency of the Committee of Ministers on Environmental Protection and Human Rights, Strasbourg, 27 February 2020;
 - g. the Reykjavík Declaration “United around our values”, adopted at the 4th Summit of Heads of State and Government of the Council of Europe in May 2023, in particular its Appendix V “The Council of Europe and the environment”;
 - h. Congress Resolution 465 (2021) “2021-2026 Priorities of the Congress of Local and Regional Authorities”, in particular as regards the priorities on environmental issues and climate action in cities and regions;
 - i. Congress Resolution 489 (2022) “A fundamental right to the environment: a matter for local and regional authorities, towards a green reading of the European Charter of local self-government”;
 - j. Congress Recommendation 484 (2022) “A fundamental right to the environment: a matter for local and regional authorities, towards a green reading of the European Charter of local self-government”;
 - k. the Committee of Ministers’ reply to Congress Recommendation 484 (2022), adopted on 18 October 2023 at the 1478th meeting of the Ministers’ Deputies;
 - l. Recommendation CM/Rec(2023)5 of the Committee of Ministers to member States on the principles of good democratic governance, adopted on 6 September 2023;
 - m. Recommendation CM/Rec(2022)20 of the Committee of Ministers to member States on human rights and the protection of the environment, adopted on 27 September 2022;

¹. Debated and adopted by the Congress on 29 October 2025 (see document [CG\(2025\)49-11](#), explanatory memorandum), rapporteur: Meropi-Spyridoula YDRAIOU, Greece (L, EPP/CCE).

n. the Explanatory memorandum “An additional protocol to the European Charter of Local Self-Government on the environment”.

2. The Congress highlights 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 on human rights, democracy and the rule of law, as recognised in the Reykjavík Declaration, in particular its Appendix V “The Council of Europe and the environment”.

3. Acknowledging the role of local authorities as a central element of the response to the triple planetary threat that our societies face, the Congress stresses the importance of a comprehensive multilevel governance approach to address this threat effectively.

4. Furthermore, to provide legal means for local authorities to fulfil their responsibilities and contribute effectively to the global response to climate change, the Congress considers that the European Charter of Local Self-Government should be supplemented with an additional protocol specifically dedicated to environmental protection at the local level.

5. Accordingly, the Congress:

a. calls on the Committee of Ministers to consider drafting and adopting an Additional Protocol to the European Charter of Local Self-Government in order to ensure that member states enable local authorities to integrate environmental considerations in local governance to address the challenges arising from the triple planetary crisis and environmental degradation;

b. invites the Committee of Ministers to initiate this process, in cooperation with the Congress, and taking into consideration the proposed contribution of the Congress.