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*Check against delivery - Seul le prononcé fait foi*

## **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**

Dear members,

Together with my co-rapporteur Belinda Gottardi, I am delighted to present this report, draft resolution, and draft recommendation as the matter they deal with is not only topical, but critical.

Communities across the world and their citizens are suffering due to environmental destruction and damage. The escalating climate crisis and its consequences pose a serious risk to fundamental rights such as the right to life, health, family life and housing.

The protection of the environment has also emerged as a priority in international law, which has recognised a profound connection between the environment and human rights. The link between climate change and human rights was explicitly underlined in the Paris Agreement, adopted in 2015, at the Paris Climate Conference COP 21. In addition, in 2021 and in July 2022, the UN Human Rights Council and the UN General Assembly both recognised the right to a clean, healthy, and sustainable environment as a human right.

The Council of Europe is well-known for being the international organisation at the forefront of the protection of the environment through human rights law. The international legal standards it has developed - such as the European Convention on Human Rights, the European Social Charter and the Bern Convention on the conservation of European wildlife and natural habitats - have successfully been relied upon to make progress on environmental issues.

I am also particularly delighted that it was the Georgian Presidency of the Council of Europe Committee of Ministers which stimulated reflection within the organisation on how to further strengthen environmental protection. As a result, the Committee of Ministers recently adopted a recommendation on human rights and the protection of the environment calling on member states to enshrine the right to a clean, safe, and healthy environment in their national framework. A wide variety of proposals have been put forward by CoE bodies and entities, including the Congress, of which I will speak later, on how to enhance our actions aimed at environmental protection. They are all currently under consideration.

We see that countries all around the world are taking on increasing obligations and commitments to tackle the climate crises using a human rights-based approach. Many of them have already introduced the right to a healthy environment in their domestic constitutions or legislation. I welcome these very positive developments since the Congress has been strongly committed to promoting this right.

Today, the Congress action is framed in the context of the implementation of the UN Agenda 2030 and its Sustainable Development Goals at the local and regional level – in particular goal 13: “Take urgent action to combat climate change and its impacts”.

I would like to underline that combating climate change is a shared responsibility of all levels of government. Municipalities and regions are key partners for national authorities in the global commitment to foster a healthier planet.

As local and regional authorities, we deliver many environment-related services such as regulating air pollution and tackling excessive noise, ensuring waste disposal, transport, supplying clean drinking water or spatial planning.

We have not been sitting idle in the face of the threats posed by the climate crisis. The Human Rights Handbook on the environment and sustainable development that we will consider today is a great example of our successful environmental protection efforts and it shows the capacity of local and regional authorities to respond to this challenge.

But unfortunately, the reality is that not all of actions are success stories.

In one land-mark case, the European Court of Human Rights (which has already ruled in some 300 environment-related cases) engaged the responsibility of a state regarding the re-routing of a motorway via the applicants’ street, in a residential area entirely unsuitable for heavy traffic. The municipal authorities had subsequently failed to ensure regular monitoring of the street to check pollution and other nuisances. Doctors diagnosed the

applicant's young son with chronic lead and copper poisoning. The Court found that the authorities had not done enough to protect the applicants' family life.

This is just one example of environment-related litigation which has become increasingly frequent. Civil society and citizens initiate many proceedings in domestic and international courts claiming their right to live in a healthy environment.

Of course, this mobilisation can be viewed as a positive sign of citizens' stronger awareness of their rights. On the other hand, an increasing number of environmental cases shows that much more needs to be done to effectively protect the environment and comply with human rights obligations at all levels of government.

As locally elected representatives, we are ready to bear our share of responsibility in fulfilling environmental and human rights obligations. But we also believe that our role in the protection of a safe and healthy environment should be legally recognised. Therefore, we suggest enshrining our right to participate in decision making on environmental matters at the central level in an international legally binding instrument so that we are better consulted and involved in drawing up relevant national strategies.

My co-rapporteur will elaborate on this initiative in her part of the intervention and will present other measures we propose to increase the effectiveness of our common environment protection efforts.

Thank you for your attention.