

CDDH-ENV(2022)R3  
18/10/2022

STEERING COMMITTEE FOR HUMAN RIGHTS  
(CDDH)

**DRAFTING GROUP ON HUMAN RIGHTS AND ENVIRONMENT  
(CDDH-ENV)**

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## **REPORT**

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Third meeting, by videoconference  
26 – 28 January 2022

**Items 1 + 2: Opening of the meeting and adoption of the agenda**

1. The Drafting Group on Human Rights and Environment (CDDH-ENV) held its third meeting from 26 to 28 January 2022. Due to the COVID-19 pandemic, the meeting was held via videoconference. The list of participants is contained in [Appendix I](#).
2. Mr David MILNER, Head of the Human Rights Intergovernmental Co-operation Division and Secretary of the CDDH, welcomed the participants.
3. The Chair, Ms Kristine LĪCIS (Latvia), opened the meeting. Whilst glad that the meeting was taking place, she regretted that the Group could not meet in person.
4. The draft agenda was subsequently adopted, as it appears in [Appendix II](#).

**Item 3: Elaboration of a draft recommendation on human rights and the environment**

5. The Group continued its second reading of the draft text, paragraph by paragraph, beginning with the Appendix. It examined the amendments submitted in advance of the meeting and made certain changes to the text.
6. The Chair informed the Group that the draft text would have to be restructured in order to meet the formal expectations of the Committee of Ministers. In particular, the recommendation itself, consisting of a preamble, operative provisions, and an appendix, should be much more concise than the current draft text. She therefore proposed that the current text be restructured to consist of a shorter preamble, operative provisions mainly covering procedural issues concerning implementation of the recommendation, and an appendix setting out the essential substantive principles. The current appendix would appear as an explanatory report to the recommendation, with its content reordered in accordance with the principles set out in the revised draft recommendation. So far as possible, the substantive content provisionally agreed by the Group would be maintained in the new draft; any changes would be clearly indicated.
7. The Group welcomed and endorsed this proposal. It asked the Secretariat to prepare a revised draft text, restructured accordingly, and to circulate it by 14 February 2022 so that members could consult their national authorities and submit any comments by 14 March 2022, in advance of the next meeting (6-8 April 2022). This revised text would be examined in full at the next meeting, with a view to its adoption and submission to the CDDH in time for its 96<sup>th</sup> meeting (14-17 June 2022).

**Item 4: Analysis of the impact of the present activity in terms of gender equality**

8. The Group agreed to return to this issue at its next meeting, in order to examine the question in the light of the content of the completed draft recommendation.

**Item 5: Exchange of views on future work**

9. On the proposal of the Chair, the Group agreed to invite members and observers to suggest, by 14 March 2022, the names of possible independent outside experts to participate in its fifth meeting (autumn 2022, exact date t.b.c.), at which it would begin its consideration of the need for and feasibility of a further instrument or instruments in the field of human rights and the environment. The Group decided to return to the question of how many

experts should be invited to the fifth meeting, and the precise questions that they would be asked to address, at its next meeting.

**Item 6: Other business**

10. None.

**Item 7: Approval of the meeting report**

11. The Group amended and subsequently approved the text of the meeting report prepared by the Secretariat and the Chair.

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Appendix I**List of participants****MEMBERS / MEMBRES**

<b>ARMENIA / ARMÉNIE</b>	<b>M<sup>me</sup> Karine VARDANYAN</b> Attaché de la Division des Traités Multilatéraux, Département des Traités et du Droit International, ministère des Affaires Etrangères
<b>AUSTRIA / AUTRICHE</b>	<b>Ms Brigitte OHMS</b> Deputy Government Agent, Division for European and International Law, Human Rights Protection (dpt. V 7), Federal Chancellery, Constitutional Service
<b>AZERBAIJAN / AZERBAÏDJAN</b>	<b>Mr Elnur ALIYEV</b> Lead consultant of the Human Rights Division, Department for Work with Law Enforcement Bodies, Administration of President of the Republic of Azerbaijan
<b>BELGIUM / BELGIQUE</b>	<b>Ms Leen CHANET</b> Legal and policy officer International Policy, Government of Flanders Department of Environment & Spatial Development
<b>FINLAND / FINLANDE</b>	<b>Mr Tuomas KAIVOLA</b> Legal Officer Unit for Human Rights Courts and Conventions Legal Service, Ministry for Foreign Affairs
<b>FRANCE</b>	<b>M. Benoît CHAMOUARD</b> Sous-directeur des droits de l'Homme, Direction des affaires juridiques, ministère de l'Europe et des Affaires étrangères  <b>Mme Charlotte BLONDEL</b> Direction des affaires juridiques – ministère de l'Europe et des Affaires étrangères
<b>GEORGIA / GÉORGIE</b>	<b>Ms Nino LATSABIDZE</b> Deputy Head of the International Relations and European Integration Department, Ministry of Environmental Protection and Agriculture
<b>GERMANY / ALLEMAGNE</b>	<b>Ms Nicola WENZEL</b> Government Agent before the ECtHR, Head of the Human Rights Unit, Federal Ministry of Justice and Consumer Protection  <b>Mr Malek RADEIDEH</b> Legal Advisor, Human Rights Unit, Federal Ministry of Justice and Consumer Protection
<b>LATVIA / LETTONIE (Chair)</b>	<b>Ms Kristine LĪCIS</b> Government Agent before the ECtHR, Representative of the Government before International Human Rights Organisations, Ministry of Foreign Affairs
<b>NETHERLANDS / PAYS-BAS</b>	<b>Ms Floris TAN</b> Legal Officer, Ministry of Foreign Affairs, Legal Division   International Law Department (DJZ/IR)
<b>NORWAY / NORVÈGE</b>	<b>Ms Beate BERGLUND EKEBERG</b> Specialist Director, Ministry of Climate and Environment  <b>Mr Andreas GAHR BRUNSVIG</b> Adviser, Ministry of Climate and Environment  <b>Ms Helle Aase FALKENBERG</b> Legal Adviser, Ministry of Justice and Public Security

<b>POLAND / POLOGNE</b>	<p><b>Mrs Agnieszka KOZIŃSKA-MAKOWSKA</b> Head of Division for Civil and Administrative Proceedings Legal and Treaty Department, Ministry of Foreign Affairs</p> <p><b>Ms Agata ROGALSKA-PIECHOTA</b> Co-Agent of the Government of Poland in cases and proceedings before the European Court of Human Rights, Head of Criminal Proceedings Section, Legal and Treaty Department, Ministry of Foreign Affairs</p> <p><b>Mr Adam ZAJĄC</b> Legal and Treaty Department, Ministry of Foreign Affairs</p>
<b>ROMANIA / ROUMANIE</b>	<p><b>Mr Felix ZAHARIA</b> Deputy Director General / Directeur général adjoint</p>
<b>RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE</b>	<p><b>M<sup>me</sup> Olga OPANASENKO</b> Counselor of the Department for Humanitarian Co-operation and Human Rights, Ministry of Foreign Affairs of the Russian Federation</p>
<b>SPAIN / ESPAGNE</b>	<p><b>Mr Luis VACAS CHALFOUN</b> Co-Agente del Reino de España ante el Tribunal Europeo de Derechos Humanos, Abogado del Estado–Adjunto del Área de Derechos Humanos, Subdirección General de Constitucional y Derechos Humanos, Abogacía General del Estado-Ministerio de Justicia, Madrid</p>
<b>SWITZERLAND / SUISSE</b>	<p><b>M<sup>me</sup> Maya BEELER-SIGRON</b> Juriste, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction Droit public, Unité Protection internationale des droits de l'homme</p> <p><b>M<sup>me</sup> Sophie HEEGAARD-SCHROETER</b> Avocate, Département fédéral des affaires étrangères, Direction du droit international public, Section droits de l'homme internationaux, Palais fédéral Nord</p> <p><b>M<sup>me</sup> Carnal DAMARIS</b> Collaboratrice scientifique, Département fédéral de l'environnement, des transports, de l'énergie et de la communication, Office fédéral de l'environnement OFEV, Section Affaires globales</p>
<b>TURKEY / TURQUIE</b>	<p><b>Mr Murat KARACA</b> Rapporteur Judge, Department of Human Rights, Ministry of Justice</p> <p><b>Mme Ayşen EMÜLER</b> Experte juridique, Représentation Permanente de Turquie auprès du Conseil de l'Europe</p> <p><b>Mr Ahmet METİN GÖKLER</b> Legal counselor, Représentation Permanente de Turquie auprès du Conseil de l'Europe</p> <p><b>Ms. Hilal KOÇALI</b> <b>Deputy to the Permanent Representative (legal matters),</b> Représentation Permanente de Turquie auprès du Conseil de l'Europe</p> <p><b>Ms. Burcu ÇAKIRTAŞ</b> Attorney, Ministry of Environment, Urbanization and Climate Change</p> <p><b>Ms. Özlem AKSOY</b> Biologist, Ministry of Environment, Urbanization and Climate Change</p>

<b>UNITED KINGDOM / ROYAUME-UNI</b>	<b>Mr Daniel BREGER</b> Legal Counsellor, United Kingdom Delegation to the Council of Europe  <b>Mr Robert FITZPATRICK</b> Policy Officer, FCDO  <b>Mr Adam LAVIS</b>  <b>Ms Fatima KHOEI</b>  <b>Mr Daniel OLDHAM</b>  <b>Ms Nicole MOHAMMED</b>
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**PARTICIPANTS / PARTICIPANTS**

<b>PARLIAMENTARY ASSEMBLY / ASSEMBLEE PARLEMENTAIRE</b>	<b>Ms Aiste RAMANAUSKAITE</b> Secretary of the Committee on Social Affairs, Health and Sustainable Development of the Parliamentary Assembly of the Council of Europe
<b>CONFERENCE OF INGOs OF THE COUNCIL OF EUROPE / CONFÉRENCE DES ONG DU CONSEIL DE L'EUROPE</b>	<b>Ms Amy JACOBSEN</b> Greenpeace International, on behalf of the INGO Conference
<b>OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS / HAUT COMMISSARIAT DES NATIONS UNIES POUR LES DROITS DE L'HOMME (OHCHR)</b>	<b>Ms Amanda KRON</b> Associate Expert, UN Office of the High Commissioner for Human Rights and climate change team

**OBSERVERS / OBSERVATEURS**

<b>COUNCIL OF BARS AND LAW SOCIETIES OF EUROPE / CONSEIL DES BARREAUX EUROPÉENS (CCBE)</b>	<b>Mr Nathan ROOSBEEK</b> Legal Advisor, Conseiller juridique  <b>Mr Stefan VON RAUMER</b> Chair of the CCBE Human Rights Committee
<b>INTERNATIONAL COMMISSION OF JURISTS (ICJ) / COMMISSION INTERNATIONALE DE JURISTES (CIJ)</b>	<b>Mr Massimo FRIGO</b> UN Representative & Senior Legal Adviser  <b>Ms Roisin PILLAY</b> Director of the ICJ Europe and Central Asia Programme
<b>EUROPEAN NETWORK OF NATIONAL HR INSTITUTIONS/ RÉSEAU EUROPÉEN DES INSTITUTIONS NATIONALES DES DH</b>	<b>Mr Peter DAWSON</b>  <b>Ms Hannah Cecilie BRÆNDEN</b>  <b>Ms Petya MITOVA</b>  <b>Ms Johanne PINOT</b>
<b>HOLY SEE / SAINT-SIÈGE</b>	<b>M<sup>me</sup> Christine JEANGÉY</b> Officiel du Dicastère pour le Service du développement intégral humain du Vatican

**SECRETARIAT / SECRETARIAT**

<b>Human Rights Intergovernmental Cooperation Division /</b> <i>Division de la coopération intergouvernementale en matière de droits de l'Homme</i>	<p><b>Mr Daniele CANGEMI</b>  Head of the Human Rights, Justice and Legal Co-operation Standard-settings activities Department / Chef du Service des activités normatives en matière de droits de l'homme, justice et coopération juridique</p> <p><b>Mr David MILNER</b>  Head of Division / Chef de Division, Secretary of the CDDH / Secrétaire du CDDH</p> <p><b>Ms Sarah BELHADJMILED</b>  Assistant lawyer / <i>Juriste assistant</i>  Human Rights Intergovernmental Co-operation Division / <i>Division de la coopération intergouvernementale en matière de droits de l'homme</i></p> <p><b>M<sup>me</sup> Corinne GAVRILOVIC</b>  Assistant / Assistante  Human Rights Intergovernmental Co-operation Division / <i>Division de la coopération intergouvernementale en matière de droits de l'homme</i></p>
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**INTERPRETERS / INTERPRÈTES**M<sup>me</sup> Isabelle MARCHINI

M. Didier JUNGLING

## Appendix II

### **Agenda (as adopted)**

- 1. Opening of the meeting and adoption of the agenda**
- 2. Address by Mr David MILNER, Secretary of the CDDH, Head of the Human Rights Intergovernmental Co-operation Division, DGI: Directorate General Human Rights and Rule of Law**
- 3. Elaboration of a draft recommendation on human rights and the environment**
- 4. Analysis of the impact of the present activity in terms of gender equality**
- 5. Exchange of views on future work**
- 6. Other business**
- 7. Approval of the meeting report**

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#### **Working documents:**

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Revised text of the draft Recommendation on human rights and the environment	<a href="#">CDDH-ENV(2022)02</a>
Compilation of contributions received from member states and participants in the CDDH meetings in view of the 3 <sup>rd</sup> CDDH-ENV meeting	<a href="#">CDDH-ENV(2022)03</a>
Exchange of views on future work – Preliminary elements prepared by the Secretariat	<a href="#">CDDH-ENV(2022)04</a>

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#### **Reference documents:**

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Meeting report of the second meeting of the CDDH-ENV	<a href="#">CDDH-ENV(2021)R2</a>
Reference texts for the work of the CDDH-ENV: terms of reference for 2022-2025, extracts of the report of the 95 <sup>th</sup> CDDH meeting (Strasbourg, 23-26 November 2021)	<a href="#">CDDH-ENV(2022)01</a>
Legal survey on existing principles and standards to be used as a background document by the Drafting Group on Human Rights and Environment (CDDH-ENV), prepared by Juliëtte RIERINK (LL.M.), Human Rights Research Consultant	<a href="#">CDDH-ENV(2021)04Rev1</a>
Workshop “Environment, Human Rights and Business: A framework for addressing environmental protection challenges” (27 April 2021), <i>organised by the Steering Committee for Human Rights under the German Chairmanship of the Committee of Ministers</i> - Notes prepared the Secretariat of the workshop	<a href="#">CDDH-ENV(2021)11</a>

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Parliamentary Assembly Recommendation 2211 (2021) “Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe”

[Recommendation 2211 \(2021\)](#)

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Decision concerning Recommendation 2211 (2021) – “Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe”  
*1416<sup>th</sup> meeting, 3 November 2021*  
*Item 3.1 - 4<sup>th</sup> part of the 2021 Session (Strasbourg, 27-30 September 2021)*

[CM/Del/Dec\(2021\)1416/3.1](#)

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Resolution adopted by the Human Rights Council on 8 October 2021, “The human right to a clean, healthy and sustainable environment”

[A/HRC/RES/48/13](#)

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