

Strasbourg, 16 March 2009

AP/CAT (2009) 08

OPINION

**of the Committee of Permanent Correspondents of the European
and Mediterranean Major Hazards Agreement (EUR-OPA)**

on

PARLIAMENTARY ASSEMBLY RECOMMENDATION 1862 (2009)

***“Environmentally induced migration and displacement:
a 21st century challenge”***

Document prepared by the Executive Secretariat of the
European and Mediterranean Major Hazards Agreement (EUR-OPA)

At its 1048th meeting (11-12 February 2009), the Committee of Ministers of the Council of Europe examined the text adopted by the Parliamentary Assembly during the first part of the 2009 session (26-30 January) and in particular Recommendation 1862 (2009) “Environmentally induced migrations and displacement: a 21st century challenge” (see Appendix 1 to the document).

The Deputies agreed to communicate the Recommendation to the European and Mediterranean Major Hazards Agreement (EUR-OPA) for information and possible comments by 15 April 2009.

The Permanent Correspondents are requested to examine the draft opinion enclosed, and, if appropriate, to adopt it.

Opinion of the Committee of Permanent Correspondents of the European and Mediterranean Major Hazards Agreement (EUR-OPA)

on

**RECOMMENDATION 1862 (2009) of the Parliamentary Assembly on
“Environmentally induced migration and displacement: a 21st century
challenge”**

After careful examination of Parliamentary Assembly Recommendation 1862 (see Appendix) at its meeting in Paris on 6-7 April 2009, the Committee of Permanent Correspondents of the European and Mediterranean Major Hazards Agreement (EUR-OPA):

1. Shares the concern of the Parliamentary Assembly concerning environmentally induced migration.
2. Notes that major hazards (floods, drought, epidemics, and climate change related events) are a fundamental cause of environmentally induced migration and that risks have been increasing over the last thirty years due to environmental degradation, population growth and climate change.
3. Notes that the European and Mediterranean Major Hazards Agreement (EUR-OPA) sees climate change as a phenomenon likely to increase risks to people's life and property, to environment, and cultural heritage due to the increase of extreme weather related events (floods, drought, heat waves) and other hazards such as marine risks, forest fires or geomorphological risks; furthermore, notes that in this context, the Agreement is also working on ideas on how to improve preparedness and resilience of societies to these issues. It also encourages States to include disaster risk reduction in climate change adaptation policies and in climate change negotiations.
4. Supports a more decisive role of the Council of Europe on the prevention of environmental degradation and on disaster risk reduction.
5. Encourages Council of Europe States to take a more pro-active approach to victims of natural and man-made disasters, particularly people displaced by environmental problems, and to improve preparedness of societies, both in Europe and in other regions.
6. Notes that the European and Mediterranean Major Hazards Agreement (EUR-OPA) will prepare a European and Mediterranean Ethics Charter on resilience to major disasters aiming at improving preparedness and dealing with ethical problems concerning victims of disasters including environmental refugees.

Parliamentary Assembly Assemblée parlementaire



Provisional edition

Environmentally induced migration and displacement: a 21st century challenge

Recommendation 1862 (2009)¹

1. Referring to its [Resolution 1655](#) (2009) on “Environmentally induced migration and displacement: a 21st century challenge”, the Parliamentary Assembly draws attention to the numerous activities carried out by the Council of Europe in relation to the environment and migration.
2. It welcomes the work the Committee of Ministers has previously undertaken in elaborating the European Convention on the Legal Status of Migrant Workers (ETS No. 093) as well as in promoting the United Nations Guiding Principles on Internal Displacement, leading to the adoption of Committee of Ministers Rec(2006)6 on Internally Displaced Persons. These recommendations are in line with the 1998 United Nations Guiding Principles on Internal Displacement, which include also “*persons displaced from their homes or places of habitual residence due to natural or man-made disasters*”.
3. The Assembly recalls the Council of Europe’s duty to promote the universal protection of human rights of all vulnerable groups and to improve, whenever necessary, the legislation to this end. It encourages member states to assume a pioneering role in standard setting in the field of protection of people compelled to leave their homes mainly or exclusively for environmental reasons.
4. The Assembly is concerned about the various gaps in international human rights and refugee law, which leaves various categories of people fleeing environmental disasters internally or by crossing international borders, including European borders, without adequate legal protection.
5. It is equally concerned that people in Europe have no specific legal remedy against human-induced environmental degradation and climate change that affects their health and safety.
6. Consequently, the Assembly invites the Committee of Ministers to:
 - 6.1. launch a dialogue among its member states with a view to promoting understanding of the existence and scale of the problems related to environmentally induced migration and encouraging concerted action. This action should aim at either improving the existing international protection framework or complementing the latter by elaboration of new binding instruments, and prioritise the challenges of prevention, adaptation and development as integral elements of the international response;
 - 6.2. set up a working group, in co-operation with other European institutions, to carry out a comprehensive legal study on the gaps in existing international law and normative regulations with a view to an eventual elaboration of a European framework convention for the recognition of status of environmental migrants, should this be deemed necessary;
 - 6.3. consider adding an additional protocol to the European Convention on Human Rights, concerning the right to a healthy and safe environment; such a protocol would introduce the

precautionary principle in the Convention and would reflect the way the concept of “human rights” has evolved since the Convention was drafted;

6.4. continue to urge member states to incorporate the United Nations Guiding Principles on Internal Displacement and the thirteen principles elaborated in Recommendation Rec(2006)6 of the Committee of Ministers in their national legislation;

6.5. encourage its United Nations and other relevant partners to seek avenues for extending the Guiding Principles to include people displaced by gradual environmental degradation processes, and to consider developing similar Guiding Principles or Guidelines to cover the rights of those moving across international borders for compelling environmental reasons (“external displacement”);

6.6. avail its expertise on legal, environment and migration issues to the United Nations Inter-Agency Standing Committee working group or any other international co-operation body set up for the purpose of setting standards for the protection of environmental migrants;

6.7. adopt a recommendation calling on member states to develop in their spatial planning policies a common European approach to preventing and managing extreme climate events as the main cause of environmental migration;

6.8. encourage dialogue between environmental, migration and demographic research centres in Council of Europe member states to widen and deepen the understanding of root causes of environmentally induced migration;

6.8. prioritise the actions of the Council of Europe Development Bank that contribute to protecting and improving the environment. Projects that provide appropriate responses to urgent needs and to sustainable prevention action of environmental deterioration in a long-term perspective should be particularly supported;

6.9. support, in co-operation with international and financial institutions, the development of programmes for helping the public to adapt to the inevitable effects of climate change so as to reduce migration flows resulting from environmental factors.

¹ *Assembly debate* on 30 January 2009 (9th Sitting) (see [Doc. 11785](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mrs Acketoft, and [Doc. 11814](#), opinion of the Committee on the Environment, Agriculture and Local and Regional Affairs, rapporteur: Mr Ivanov). *Text adopted by the Assembly* on 30 January 2009 (9th Sitting).