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**Outcome Document**

**Regional Dialogue on the Right to clean, healthy and sustainable environment for Europe and Central Asia**

**20 October 2023**

**Brussels**

1. *The Regional Dialogue for Europe and Central Asia was held on October 20, 2023, which focused on the right to a clean, healthy, and sustainable environment, was a key component of a more extensive series of ongoing discussions and consultations centered on the universality and indivisibility of human rights in the context of the Human Rights 75 initiative. The Regional Dialogue in Brussels, organized in collaboration with UNEP, brought together 100 online viewers and 100 in person, including representatives from 30 Member States, 3 Regional Organizations, 5 UN Agencies, and a diverse range of stakeholders, including CSOs, indigenous people communities, national human rights institutions and other partners. Youth engagement was ensured using a comprehensive approach involving universities, youth organizations, representatives, and child participation.*
2. The discussions emphasized several critical themes. There was a unanimous recognition of the need for meaningful and informed participation of all rights-holders in advancing human rights and the environment, with particular emphasis on the participation of women, indigenous peoples, children, youth, and people with disabilities. Environmental education for children and youth was highlighted, alongside the importance of explicitly recognizing and incorporating the right to a healthy environment in regional instruments, national legislation, and sub-national and local processes. Numerous speakers underscored the imperative of ensuring accountability of States and business enterprises, providing remedies for victims, and preventing conflicts of interest for the cause of environmental justice. A prevalent concern was the plight of environmental human rights defenders (HRDs), who are often silenced, tortured, imprisoned, and even killed. Delegates expressed the urgency of establishing rapid mechanisms to protect them. Access to justice was identified as an essential component in this regard, and it further highlighted the need for increased criminalization of environmental harms, including at the international level. The predominance of economic considerations in decisions related to the environment and human rights was also discussed.
3. While most countries and regional organizations assert the recognition of the right to a clean, healthy, and sustainable environment within their constitutional and legislative frameworks, civil society and various stakeholders emphasized the urgent need to implement state obligations in respecting, protecting, and ensuring this right. Furthermore, they advocated for increased protection of human rights defenders and a more inclusive, transparent, and accountable multilevel governance, with a more decisive role for local and regional governments that allows for more rights-based environmental decisions.
4. In the context of advanced discussion in several panels and with a diverse spectrum of stakeholders, a number of pledges and directions for action have been recognized, as particularly pertinent for critical advancement of the right to safe, healthy and sustainable environment in Europe and Central Asia:
5. Member States in the region should advance the implementation of this right by accelerating human rights-based action, mobilizing maximum available resources, and sharing good practices to improve air quality, ensure access to safe water and adequate sanitation, transform the industrial food system to be sustainable, conserve and restore biodiversity, detoxify the economy, shift away from fossil fuels, protect human rights and environmental defenders, provide education, capacity building and training on human rights and environmental protection. Attention and priorities should be given to nature-based solutions in environmental and climate change strategies.
6. Increased international cooperation based on the principles of common but differentiated responsibilities. It was emphasized that setting ambitious environmental action targets, committing to the equitable phase-out of fossil fuels, and ending the imposition of negative externalities from businesses are essential steps. The discussions emphasized that investments are needed for a holistic, area-oriented just transition toward renewable energy and building a sustainable and green human rights economy. Climate and development finance providers and recipients were urged to ensure that financial instruments have human rights safeguards to protect children, youth, Indigenous peoples, women, and other vulnerable groups.
7. The Dialogue emphasized the interdependence of human rights, particularly underlining that the right to a clean, healthy, and sustainable environment is intricately linked to other fundamental rights, thereby advancing the principle of universality and indivisibility. The Dialogue also adopted a forward-looking perspective, supporting the ongoing implementation of established frameworks such as the Aarhus Convention and advocating for developing new regional-level instruments to address emerging environmental-related human rights challenges.
8. Granting better access to justice, with particular attention to the blockings at the European Court of Justice level, albeit partially mitigated by the EU Aarhus Regulation, should be addressed. At the European level, another prominent challenge lies in the discretion available to determine the extent of environmental protection, which remains a primary obstacle in enforcing the right to a clean, healthy, and sustainable environment. In this sense, monitoring of the progress made by Member States and Regional Organisations must be ensured, breaking the silos between environmental mechanisms and Agencies and Human Rights institutions.

Individual pledges:

1. In line with the EU Biodiversity Strategy for 2030 and in the context of the strategy's key commitments to legally protect a minimum of 30% of the EU’s sea area, Portugal pledged to create two new marine protective areas to improve the conservative status of its seas.
2. In the context of the Global Framework on Chemicals, which aims to prevent or minimize harm from chemicals and waste to protect human health and the environment, Germany pledged 20 million euros to a fund to support and kick-start the implementation of the framework. Germany reaffirmed its commitments to continue to implement the Sustainable Development Goals (SDG) and to pursue a rights-based approach to the 2030 Agenda for Sustainable Development.
3. Slovenia informed about its engagement to include the right to clean environment in the COP28 and work with OHCHR to strengthen the human rights-based approach in the COP process. It expressed its willingness to pledge during the high-level meeting to further promote the right to clean, healthy, and sustainable experiments globally.
4. Tajikistan reaffirmed its commitments to the protection of ecosystems, sustainable land use practices, environmental education, renewable energy and the right of access to safe drinking water and sanitation within its National Human Rights Strategy 2038. This includes prioritization of water resource management and equitable access, the adoption of a water supply strategy, the establishment of a water council as well as those commitments on the participation of vulnerable groups, and fostering realization of its climate change strategy present in its National Action Plan under the UPR recommendations 2023- 2026.
5. Kyrgyzstan reaffirmed its commitment to reducing greenhouse emissions by 2030 and nitrogen neutrality by 2050.
6. The European Union External Service reiterated its support for a human-rights-based approach to environmental policies and climate action and new Regional Agreements on Access to Information, Public Participation and Justice in Environmental Matters in other regions of the world. It mentioned again the commitments of allocating 30% of the EU’s multiannual budget (2021-2028) and the EU’s unique NextGenerationEU (NGEU) instrument to recover from the COVID-19 pandemic to green investments in order to continue the development of the Green Deal agenda, including the revision of the directive of environmental crime.
7. Stop Ecocide International, in the context of the HR75 initiative, pledged to take concrete and transformative actions to promote human rights, including those of children, indigenous communities, and future generations in the context of climate challenges, including ecocide and to continue the discussion to codify ecocide as a crime at international level. Campaigns and consultations will be organized to discuss the links between the right to a clean, healthy, and sustainable environment and the crime of ecocide.
8. Terre des Hommes pledged to raise awareness on the right to environment and children’s rights; to campaign for the implementation of the GC26; support and empower children to campaign themselves on their rights; and set up a robust mechanism to ensure systematic and meaningful children participation in all policy and decision making.
9. Centre for International Environment Law informed of the intervention of European civil society organizations to prepare a pledge ahead of the high-level meeting to advocate for adopting an optional protocol to the European Convention of Human Rights on the right to a clean, healthy, and sustainable environment.