

The European Committee of Social Rights and Environmental Protection

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ABSTRACT

This paper explores the role of the European Social Charter and the European Committee of Social Rights in addressing environmental concerns through the lens of social rights protection. While the European Social Charter does not explicitly guarantee the right to a healthy environment, its provisions, particularly those relating to health, housing, just, safe and healthy conditions of work and vulnerable populations, have been interpreted by the European Committee of Social Rights as encompassing environmental issues. Through its monitoring mechanisms, especially the collective complaints procedure, the Committee has developed a body of decisions that indirectly contribute to the recognition of environmental rights. This study critically examines how these developments enhance environmental protection within the broader framework of social justice and human dignity.

KEYWORDS

European Social Charter, European Committee of Social Rights, environmental protection, social rights, collective complaints

1. Introduction

The growing environmental crisis is one of the most urgent challenges of our time, demanding coordinated legal, political and societal responses. Climate change, pollution and ecological degradation are increasingly jeopardising fundamental human rights, such as the right to life, health and adequate living conditions. While international and European human rights frameworks have traditionally focused on civil and political rights, there is growing acknowledgement of the need to integrate environmental protection into these legal systems.

The European Social Charter (ESC), a key instrument within the Council of Europe, offers a framework for upholding social and economic rights. Although it does not explicitly guarantee the right to a healthy environment, the Charter's provisions on health, housing, just, safe and healthy conditions of work, vulnerable

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populations and protection for marginalised groups offer pathways for addressing environmental issues.

The European Committee of Social Rights (ECSR), as the Charter’s supervisory body, has gradually interpreted these rights in ways that recognise environmental dimensions, especially in cases involving vulnerable populations and harmful living conditions.

This study investigates how the ESC and ECSR contribute to advancing environmental rights through the indirect enforcement of social rights. The objective is to show that while lacking a direct environmental mandate, these mechanisms serve as important tools for strengthening environmental protections within the context of human dignity and social equity.

2. The European Social Charter and the European Committee of Social Rights

The ESC, adopted in 1961 and revised in 1996, remains a central legal instrument for promoting social and economic rights within the framework of the Council of Europe. Unlike the European Convention on Human Rights (ECHR), which mainly addresses civil and political rights, the ESC establishes obligations related to employment, health, housing, education and protections for vulnerable groups. The Revised Charter (1996) extends and modernises these rights to better address evolving social needs.

As a treaty, the ESC imposes binding legal obligations on the ratifying States, albeit with flexibility. Countries can choose which provisions to accept provided they agree to a core set of essential articles. This system has encouraged broad ratification, but also led to variations in the scope of the obligations across Member States.

The oversight of the Charter’s implementation falls under the ECSR. The ECSR is composed of 15 independent legal and social policy experts.

Although the ESC does not explicitly include environmental rights, some articles have been interpreted by the ECSR as indirectly protecting environmental interests. For example: Art. 11, on the right to health, has been linked to environmental health risks, such as pollution and unsafe living conditions; Art. 13, regarding social and medical assistance, can be triggered when environmental harm disproportionately affects the most vulnerable population; Art. 31 in the Revised Charter relates to the right to housing and can encompass environmental dimensions, such as exposure to toxic environments or climate-related displacement.

Through these interpretations, the ESC has evolved into a framework capable of addressing environmental issues under the banner of social rights and human welfare. To assess states compliance with the ESC, the ECSR mainly uses the reporting procedure and the collective complaints procedure. It also issues interpretative

statements.¹ These statements cover all the provisions of the ESC, serve as an authentic source of interpretation and play a guiding role for States Parties, as they offer detailed and accessible explanations of the nature of their legal obligations under the Charter and the way in which its provisions apply to specific problems or contexts.

The reporting procedure is based on the provisions of the ESC of 1961 and governed by Arts. 21–29. Based on these articles, States Parties must prepare and submit periodic reports outlining the legal and practical implementation of the Charter’s provisions at the domestic level.

These reports are analysed by the ECSR, which adopts conclusions on the conformity or non-conformity of national situations (from a legislative and practical perspective) with the provisions of the Charter. If the conclusions indicate non-conformity, the State Party is requested to align its legislation and/or application with the provisions of the Charter.

The Committee of Ministers monitors the implementation of the ECSR’s conclusions. Its monitoring work is prepared by the Governmental Committee of the ESC and the European Code of Social Security (hereinafter the “Governmental Committee”). The latter comprises representatives of the States Parties to the Charter and is assisted in its activities by observers from European organisations of employers and trade unions.

Based on the work of the Governmental Committee, the Committee of Ministers adopts a resolution that concludes each monitoring cycle and may contain individual recommendations. Although these conclusions are not legally binding, they can influence domestic policymaking and lead to reforms.

The reporting procedure applies to States that have ratified the ESC, and concerns only those provisions that have been accepted by the respective States (*à la carte* ratification). Of the forty-six (46) Member States of the Council of Europe, forty-two (42) have become Parties² to the ESC to varying extents.

Between 2005 and 2007, in the periodic reporting procedure, the ECSR adopted conclusions on States Parties’ obligations to reduce air pollution in accordance with universal climate change treaties³ and to integrate, *inter alia*, environmental protection into school curricula to raise public awareness and understanding around environmental issues⁴ or around access to safe (potable) water, considered essential for a dignified life.⁵

1 For details regarding the content of the Interpretative Statements of the ECSR see: Council of Europe, n.d.

2 The following are not parties to the European Social Charter: the Swiss Confederation, San Marino, Monaco, and Liechtenstein.

3 See, in this regard, the conclusions adopted by the Committee regarding Albania, 2007; and Italy, 2007.

4 See, in this regard, the conclusions adopted by the Committee regarding the Republic of Moldova, 2005.

5 See, in this regard, the conclusions of the Committee regarding Georgia, 2013.

However, in 2021, a brief overview of the conclusions adopted by the Committee on the implementation of Art. 11(3) of the ESC highlighted the absence of concrete recommendations for this provision. Although the Committee asked States Parties to provide information on measures taken to prevent exposure to various forms of pollution (air, water or others), including in proximity to industrial areas; on measures taken to limit toxic emissions, spills and the transfer of such substances into the environment; on measures taken to manage mines or nuclear areas from an environmental protection perspective; on measures taken to address the health issues of affected populations; on measures taken to inform the public, including students and pupils, about general and local environmental issues; the replies provided by States Parties showed either a lack of response, or inadequate or incomplete responses to those questions. Consequently, this situation has prevented the ECSR from assessing the conformity or nonconformity of national legislation and practices with the provisions of the Charter.

Given this, in most cases, the Committee requested those States to include complete/detailed information in their subsequent periodic reports, emphasising that otherwise it would adopt conclusions of nonconformity with the provisions of the Charter.⁶

The collective complaints procedure is mainly regulated by the Additional Protocol Regarding the System of Collective Complaints, adopted in 1995 and entered into force in 1998.⁷ The collective complaints procedure, introduced in 1995, allows designated organisations, such as non-government organisations (NGOs), trade unions and employers' associations, to submit complaints about systemic violations of Charter rights. The ECSR assesses these complaints and issues legal interpretations that, while not binding like court judgements, carry significant political and legal influence. The Committee of Ministers may then recommend actions to the concerned State.

Currently, the Protocol has been ratified by sixteen (16)⁸ out of forty-six (46) Council of Europe Member States. Consequently, the ECSR has a quasi-judicial competence with only approximately 35% of the Council of Europe Member States. Moreover, within this percentage, only approximately 38% (six states) are from Central, Eastern, and South-eastern Europe.⁹ Thus, the decisions relevant to this research concern approximately 13% of the Council of Europe's Member States.

6 See, in this regard, the conclusions adopted in 2021 regarding Romania, Czech Republic, Slovakia, Russian Federation, Serbia, Estonia, Ukraine, etc.

7 Referred to hereinafter as the Additional Protocol. For further details regarding the content of the Additional Protocol related to the collective complaints system, see: Council of Europe, 1955a.

8 In alphabetical order, these sixteen states are: Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Slovenia, Spain and Sweden.

9 In alphabetical order, these six states are: Bulgaria, Croatia, Cyprus, Czech Republic, Greece and Slovenia.

To date, the Committee has adopted decisions on the merits of 104 collective complaints, some of which concern the six states located in Central, Eastern, and South-eastern Europe that are Parties to the Protocol.

The normative provisions contained in the Protocol are detailed and explained in The Explanatory Report of the Additional Protocol Regarding the System of Collective Complaints, adopted in Strasbourg in 1998.¹⁰ According to this report, the purpose of the Protocol is to enhance the protection and effectiveness of the social rights detailed in the ESC. This is not a new concept, as it was mentioned for the first time in Recommendation 839 (1978) of the Parliamentary Assembly of the Council of Europe. Although the system conceived by the Protocol falls within parameters similar to those within the International Labour Organization, it still presents some particularities.

First, the complaints are collective. They address issues of a general nature, namely the nonconformity of state laws and/or practices with the provisions of the Charter. Unlike the UN Committee on Economic, Social, and Cultural Rights, which has the competence, under the Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights (OP-ICESCR) to deal with both complaints submitted by groups of individuals and complaints submitted by individuals, the ECSR lacks the competence to address individual complaints.

Second, according to Art. 1 of the Protocol, the organisations entitled to submit complaints before the Committee are identified quite precisely as follows.¹¹

- 1) International organisations of employees and employers (European social partners) in accordance with Art. 27(2) of the ESC. These organisations are the European Trade Union Confederation (ETUC), Business Europe and the International Organisation of Employers (IOE).
- 2) NGOs, which have consultative status at the level of the Council of Europe, and have been included, at their request, in a list¹² drawn up by the Governmental Committee of the ESC and the European Code of Social Security; additionally, any state may grant the right to submit collective complaints to any NGOs under its jurisdiction, having a representative position; however, thus far, only Finland has granted this right to relevant NGOs at the national level

10 Referred to hereinafter as the Explanatory Report. For further details regarding the content see: Council of Europe, 1995b.

11 In the case of most human rights treaties, organisations are not conditioned through inclusion on a list or other similar requirements. When the right to submit a complaint is granted to an organization, it may file the complaint on behalf of an individual or a group of individuals whose rights have been violated.

12 The compilation of the list is done in accordance with the Decision of June 22, 1995, by the Committee of Ministers. A NGO wishing to obtain such status must submit an application accompanied by supporting documents that demonstrate its competence in the areas covered by the Charter, its access to credible sources of information, and its ability to undertake the necessary verifications to obtain the legal opinions required to document a particular case. The decision to include an organisation on the list is made by the Governmental Committee and is valid for a period of four years, and can then be renewed.

(Art. 2 of the ESC); in both cases, the right to submit collective complaints is limited to the area of activity in which these organisations have recognised competence;

- 3) Representative organisations of trade unions and employers at the national level, which fall under the jurisdiction of that State [Art. 23(1) of the ESC].

Third, because of the specific nature of the collective complaints, their submission does not require the exhaustion of domestic remedies,¹³ nor does the complainant have to be a victim of an alleged violation of a right under the ESC.¹⁴

Regarding the admissibility conditions of a complaint before the ECSR, these are derived from several documents, namely Art. 4 of the Additional Protocol on the Collective Complaints System, from the commentary in Art. 4 of the Protocol in accordance with The Explanatory Report of the Additional Protocol on the Collective Complaints System and from The Rules of Procedure of the European Committee of Social Rights (Rules 23–35).¹⁵

Thus, according to Art. 4 of the Additional Protocol Regarding the Collective Complaints System, the admissibility requirements are identified relatively succinctly as follows:

‘The collective complaint shall be logged in writing.

The collective complaint shall relate to a provision of the Charter accepted by the Contracting Party’ (the complaint needs to refer to one of the following provisions: Arts. 1–19 of Part II of the ESC Charter, arts. 1–4 of Part II of the 1988 Additional Protocol to the 1961 ESC; and Arts. 1–31 of Part II; and Art. E of Part V of the Revised ESC);

The collective complaint shall indicate in what respect the State Party has not ensured the satisfactory implementation of this provision.’

In the Explanatory Report, which details the content of Art. 4 of the Protocol and interprets it in the context of the ESC, three conditions for the admissibility of such a complaint are identified. It specifies that these conditions were agreed upon during the adoption of the Charter, namely:

13 The exhaustion of domestic remedies is a customary condition in the field of international human rights protection, being provided by most universal human rights treaties (International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR)) and regional human rights treaties (European Convention on Human Rights, African Charter on Human and Peoples’ Rights, and the American Convention on Human Rights).

14 The victim condition is one of the standard requirements in the field of fundamental rights protection, explicitly regulated not only by the ECHR but also by the two UN Covenants, as well as by other regional human rights instruments.

15 Referred to hereinafter as the Rules of Procedure. For further details, see: Council of Europe and European Committee of Social Rights, 2022.

‘A complaint may be declared admissible even if a similar request has already been submitted to a national or international body.¹⁶

The fact that the substance of the complaint has been examined as part of the “normal” government reports procedure does not constitute in itself an impediment to the complaint’s admissibility’;

the ECSR has discretionary power in this regard.

‘Because of their “collective” nature, complaints may only raise questions concerning non-compliance of a state’s law and practice with one of the provisions of the Charter’;

thus, alleged violations of rights enshrined in the ESC by individuals are not admissible.

According to the Explanatory Report, the ECSR may include the abovementioned conditions in its Rules of Procedure. A reading of these rules highlights some content nuances, namely, the requirement that they:

‘Complaints shall be signed by the person (s) with the competence to represent the complainant organization;¹⁷

Complaints made by the organizations listed in Art. 1 (a) and (b) of the Protocol shall be submitted in one of the official languages of the Council of Europe” (English or French); Complaints made by organizations listed in Art. 1 (c) and Art. 2 (1) of the Protocol, may be submitted in an official language of the State concerned other than one of the Council of Europe.’¹⁸

However, in addition to the admissibility conditions mentioned above, two further clarifications are needed.

First, these conditions are supplementary to those mentioned in Arts. 1 and 2 of the Additional Protocol regarding the entities which are entitled to submit complaints. Additionally, if the entity entitled to submit a complaint is a national trade union or an employer’s organisation, it must prove that it is representative for the purpose of submitting collective complaints. Similarly, if the entity entitled to submit a complaint is an international or national NGO, it must prove that it has specific competence in the area referred to by the provision(s) of the Charter that forms the object of the complaint.

Second, it must not be overlooked that, based on the principle of sovereign equality and the dependence of international obligations on the consent/agreement of States,

16 This condition is also a particular one, given that, in the field of human rights, international procedures generally follow the principle *electa una via non datur recursus ad alteram* (once a choice has been made, recourse to another remedy is not allowed).

17 European Committee of Social Rights, 2024, Rule 23, para. 2.

18 European Committee of Social Rights, 2024, Rule 24.

one of the essential conditions for filing such a complaint is that the State against which such a complaint is filed must be a party to the Additional Protocol regarding the Collective Complaints System. As mentioned earlier, only sixteen (16) of the forty-six (46) Member States of the Council of Europe are Parties to this Protocol.

Although the collective complaints procedure is regulated by both the Additional Protocol and the Explanatory Report, the relevant procedural aspects are specifically outlined in the Rules of Procedure. In all cases, according to these rules, the entire process of considering a collective complaint is confidential, with the ECSR working in private sessions and working documents remaining confidential.

Thus, in the initial phase, the complaint admissibility conditions, both regarding the entity entitled to submit the complaint and the State Party against which the complaint is directed, are analysed. The latter has the possibility to present its position with respect to the complaints. All States that are Parties to the ESC are notified that a specific complaint has been declared admissible; however, only States that are also Parties to the Additional Protocol have the right to submit comments. The rationale is that the complaint itself, as well as its admissibility, are issues that may be relevant not only for the State which is directly targeted by a particular collective complaint, but also of interest to any of the States that are Parties to the Additional Protocol. The Charter also provides the possibility for international organisations of workers and employers to submit observations regarding the abovementioned issues, as well as the possibility for any of the aforementioned entities to submit comments regarding the claims of any of the Parties involved in this procedure.

After completing the admissibility stage, the ECSR proceeds to analyse the substantive aspects of the complaint. For this purpose, ECSR may organise, if deemed necessary, oral hearings with the Parties and other entities participating in the procedure. At the end of the substantive analysis, the Committee adopts a report that includes conclusions on the satisfactory/non-satisfactory implementation of the Charter's provisions by the State Party in question. This report and its conclusions serve as the basis for the adoption by the Committee of Ministers of a resolution containing the final recommendations for the State Party. From the moment this resolution is adopted, the Committee's conclusions, as expressed in the recommendations addressed to the State Party, become public.

The following sections analyse some of the decisions adopted by the ECSR in cases that relate to environmental protection and climate change in the context of Arts. 2, 3, 11 and 31 of the ESC.¹⁹

19 See for further details: Council of Europe, 2022.

3. The Right to Just and Safe and Healthy Conditions of Work in the Context of Environmental Protection and Climate Change

3.1. Regulation

‘All workers have the right to just conditions of work.’²⁰

‘With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

[...] 4. to provide for additional paid holidays or reduced working hours for workers engaged in dangerous or unhealthy occupations as prescribed’;²¹

‘With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

[...] 4. to eliminate risks in inherently dangerous or unhealthy occupations, and where it has not yet been possible to eliminate or reduce sufficiently these risks, to provide for either a reduction of working hours or additional paid holidays for workers engaged in such occupations’;²²

‘All workers have the right to safe and healthy working conditions.’²³

‘With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Contracting Parties undertake: to issue safety and health regulations; to provide for the enforcement of such regulations by measures of supervision; to consult, as appropriate, employers’ and workers’ organisations on measures intended to improve industrial safety and health.’²⁴

‘With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers’ and workers’ organisations: to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The primary aim of this policy shall be to improve occupational safety and health and to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, particularly by minimising the causes of hazards inherent in the working environment; to issue safety and health regulations; to provide for the enforcement of such regulations by measures of supervision; to promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions.’²⁵

20 Council of Europe 1961; 1996, Part I. para. 2.

21 Council of Europe 1961, art. 2.

22 Council of Europe 1996, art. 2.

23 Council of Europe 1961; 1996, Part I. para. 3.

24 Council of Europe 1961, art. 3.

25 Council of Europe 1996, art. 3.

3.2. Fundamental Principles and Relevant Jurisprudence

The right to just working conditions is protected under Art. 2(4) of both the 1961 and the Revised Charter. Additionally, Art. 3 guarantees that workers have the right to safe and healthy working conditions. In cases where pollution could lead to the violation of these rights, States have the obligation to adopt, apply and effectively monitor regulations concerning safety and health and to provide additional benefits to workers engaged in hazardous or unhealthy occupations.²⁶

*Marangopoulos Foundation for Human Rights (further abbreviated MFHR) v. Greece*²⁷ was a landmark case for the Committee. The complaint was submitted by and international NGO against Greece citing occupational health risks caused by miners' excessive exposure to air pollution from mining activities. It was argued that Greece violated Art. 3 (right to safe and healthy working conditions) and Art. 2 (right to fair working conditions) of the 1961 Charter, as the Greek State failed to effectively monitor and enforce safety and health regulations and did not provide benefits to workers employed in mining, a hazardous and unhealthy occupation.

In its response, the Committee stated that in areas such as the right to safety and health at work, States are required to provide clear and plausible explanations and information on the evolution of workplace accidents and on measures taken to ensure the enforcement of regulations, and thus prevent accidents. The Committee emphasised that although Greece has had legislation on safety and health in compliance with Art. 3(1) of the Charter, compliance with the Charter cannot be ensured merely by the existence of legislation if it is not effectively applied and rigorously monitored. Therefore, the Committee considered that the extent to which the State addresses the application of safety and health regulations, as provided in Art. 3(2) of the Charter, is essential for the rights guaranteed by Art. 3 to be effective. In this case, the Committee concluded that Greece failed to meet its obligations to effectively monitor the implementation of workplace safety and health regulations concerning air pollution in line with Art. 3(2) of the Charter, especially since the government acknowledged the lack of inspectors and could not provide precise data on accidents in the mining sector.

Furthermore, the Committee considered that the mining industry was one of the most dangerous sectors in which risks to worker health and safety could not be eliminated. The Greek legislation classified mining as a difficult and hazardous occupation. Therefore, in addition to preventive and protective measures, Greece was requested to provide compensation to this sector, which it failed to do, violating Art. 2 (4) of the Charter.

Similarly, states are requested to pay special attention to workers exposed to asbestos and ionising radiation hazards in accordance with Art. 3 (1) of the 1961 Charter and Art. 3 (2) of the Revised Charter. Therefore, States must provide evidence

26 See for further details, Council of Europe, 2022.

27 European Committee of Social Rights, 2006, para. 193–195.

that workers exposed to these hazards are protected, at least to the level established by international reference standards.

Asbestos can pose environmental risks and affect workers health. Therefore, States must align their national legislation with the protection standards outlined in Recommendation 1369 (1998) of the Parliamentary Assembly of the Council of Europe regarding the dangers of asbestos for workers and the environment. The ILO Asbestos Convention No. 162 (1986), the Rotterdam Convention (2004) and the Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from risks related to exposure to asbestos at work (as amended) include international reference standards that establish the minimum exposure limits to be implemented at the national level. These measures include: expanding protective measures and information regarding the harmful effects of asbestos for workers in all potentially hazardous occupations; eliminating the use of technologies that release asbestos fibres into the environment; and ensuring adequate medical surveillance for workers by strengthening the role and resources of occupational health services.

Finally, national standards concerning ionising radiation must take into account the 2007 recommendations of the International Commission on Radiological Protection (ICRP, Publication No. 103), specifically regarding maximum workplace exposure doses, but also for individuals who, although not directly assigned to work in a radioactive environment, may occasionally be exposed to radiation. In this regard, States Parties must implement Council Directive 2013/59/Euratom of 5 December 2013, which incorporates ICRP recommendations. Other Euratom Council directives related to the maritime transport of radioactive waste, nuclear safety at nuclear facilities, surveillance and control of shipments of radioactive waste and spent fuel and nuclear safety at nuclear installations must also be implemented in the national legislation and jurisdictions of the States Parties to the Charter.

4. The Right to Health Protection in the Context of Environmental Protection and Climate Change

4.1. Regulation

‘Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.’²⁸

‘With a view to ensuring the effective exercise of the right to protection of health, the Contracting Parties undertake, either directly or in co-operation with public or private organisations, to take appropriate measures designed inter alia: to remove as far as possible the causes of ill health; to provide advisory and educational facilities for the promotion of health and the

28 Council of Europe 1961; 1996, Part I., para. 11.

encouragement of individual responsibility in matters of health; to prevent as far as possible epidemic, endemic and other diseases.’²⁹

‘With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia: to remove as far as possible the causes of ill-health; to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health; to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.’³⁰

4.2. Fundamental Principles and Relevant Jurisprudence

Based on Art. 11 of the Charter, the Committee has interpreted the right to health as including access to a healthy environment³¹ and therefore, requests that States, when presenting their periodic reports, indicate the measures taken to ensure such an environment for individuals (not only for workers). As part of this process, the Committee seeks, among other things, to obtain the most accurate information regarding pollution levels and the implementation of national action plans.³²

The Committee has also highlighted the complementarity between the right to health under Art. 11 of the Charter and Arts. 2 and 3 of the ECHR (considering health-care a prerequisite for human dignity) as well as Art. 8 of the ECHR.³³ As a result, the Committee concluded in several state reports regarding the right to health that the necessary measures under Art. 11 (1) should be designed to eliminate the causes of diseases arising from environmental threats such as pollution (the precautionary principle). Therefore, the failure to adopt measures to avoid or reduce environmental degradation may violate specific social rights.

The obligation of States to take measures to create a healthy environment is at the core of the Charter’s system of guarantees and may be relevant for the application of various specific provisions of the Charter.

The Committee’s recognition of environmental concerns as having a central position in the Charter’s system of guarantees may be relevant in the applications of various specific provisions of the Charter. In the case of *ATTAC ry, Globaali sosiaalityö ry, and Maan ystävät ry v. Finland*,³⁴ the Committee recognised that an international trade agreement can have wide-reaching consequences for the implementation of the social rights guaranteed by the Charter. However, the legal evaluation of whether these consequences involve a breach of the obligations arising from the provisions of the Charter and may result from the application and implementation of such an

29 Council of Europe 1961, Art. 11.

30 Council of Europe 1996, Art. 11.

31 See for other details: Trilsh, 2009; Lougarre, 2015; Cliza and Spataru-Negura, 2020; Cliza and Spataru-Negura, 2018.

32 European Committee of Social Rights, 2013a. See for further details: Council of Europe, 2022.

33 See for details: Pedersen, 2008.

34 European Committee of Social Rights, 2019, para. 12.

international trade agreement can only be adequately conducted by the Committee within the context of national legislation and practice, and cannot be concluded before the agreement takes effect.

Turning back to the decision *MFHR v. Greece*, the Committee reaffirmed the Charter as a living instrument whose purpose was to protect rights not only theoretically but also in practice.³⁵ Therefore, the rights and freedoms provided in the Charter should be interpreted in light of current conditions, including the current environmental situation. Given the increasing connection between health protection and a healthy environment, made both by the States Parties to the Charter and by other international bodies, the Committee has interpreted Art. 11 of the Charter (the right to health protection) as including the right to a healthy environment.³⁶ Additionally, the Committee has noted that the interpretation of this right is guided by the principles established by the ECHR, the Inter-American Court of Human Rights, the African Commission on Human and People's Rights, the UN CESCR and the Court of Justice of the European Union. The Committee also referred to studies conducted by the World Health Organization (WHO) and independent researchers on the harmful effects of lignite on human health.

Another interesting observation can be found in the complaint *MFHR v. Greece*.³⁷ The complaint referred to a situation of air pollution prior to (partially) 1 August 1998, when the *Protocol on Collective Complaint Procedures* was not yet in force in Greece. In this case, the Committee applied the *ratione temporis* principle. In these circumstances, the main issue raised by the complaint concerned how to distinguish between acts already committed and those ongoing, considering the State's obligation to take all reasonable measures to ensure that a certain event does not occur. In this regard, the Committee noted Art. 14 of the Draft Articles on States Responsibility for their Internationally Wrongful Acts (2001) drafted by the International Law Commission (ILC). This Art. states that when a State has an international obligation to take preventive measures against a certain event but fails to do so, it violates its international obligations for the entire period during which the event continues to exist. Therefore, the Committee considered that it had *ratione temporis* jurisdiction to examine the complaint, as the issues raised could constitute a violation of the obligation to prevent damage caused by air pollution as long as the pollution continues. The violation could even be progressively amplified if insufficient measures are taken to stop it.

As a final key reference, we can look at the complaint of the *International Federation for Human Rights (FIDH) v. Greece*.³⁸ In this case, complainants argued that water pollution in the Asopos River had harmful effects on local residents. For this, the Committee emphasised that the right to a healthy environment is included in the

35 European Committee of Social Rights, 2006, para. 194.

36 See for details: Guematcha, 2024; Lukas, 2021, pp. 159–172.

37 European Committee of Social Rights, 2006. This approach can also be found in: European Committee of Social Rights, 2008; 2009.

38 European Committee of Social Rights, 2013a, paras. 50, 51.

Social Charter, as recognised in *MFHR v. Greece*, and that the right to health protection under Art. 11 of the Charter complements Arts. 2 and 3 of the ECHR (considering, as noted, that healthcare is a prerequisite for human dignity) as well as Art. 8 of the Convention. The Committee emphasised the government's obligation to take preventive measures and established that the lack of scientific certainty should not be used as an argument for postponing preventive and protective measures for the population.³⁹

States are obliged to apply the precautionary principle when there are reasonable grounds to believe that there is a risk of serious human health damage.

In the case *FIDH v. Greece*, the Committee considered that when there are threats of serious human health damage, the lack of complete scientific certainty should not be used as a reason for delaying appropriate measures.⁴⁰ When a preliminary scientific assessment indicates reasonable grounds for concern about the potentially harmful effects on human health, the State must take precautionary measures in line with the high level of protection required under Art. 11 to prevent these potentially dangerous effects. By requesting the application of the precautionary principle, the Committee applied one of the environmental protection principles in the context of social rights. Notably, according to European legislation, this precautionary principle in decision-making must be mandatory in the national legislation of EU Member States as a fundamental principle underlying legislation in any field as well as the basis for administrative decisions by national authorities.

The Committee considered that the Greek State had failed to take adequate measures to eliminate the causes of diseases and prevent them as far as possible.⁴¹ This conclusion was based on the following arguments: the delay in which Greek authorities recognised the severity of pollution in the Asopos River and its negative effects on public health; the delay in adopting remedial measures, which worsened the causes of diseases and thwarted their prevention; the deficiencies in the implementation of existing regulations and programmes regarding the pollution of the Asopos River and its negative effects on health; the difficulties in coordinating relevant administrative activities by competent bodies at the national, regional and local levels; the deficiencies in spatial planning; the poor management of water resources and waste; and the problems in controlling industrial emissions and lack of appropriate initiatives regarding the presence of Cr-6 in the water.

States must prioritise the publication of environmental damage information within public health by means of awareness and education campaigns.

Thus, in the case *FIDH v. Greece*, the Committee considered that the competent authorities in Greece should have requested the development and implementation of a systematic information and awareness programme for the affected population, with the active and regular contribution of all administrative institutions involved (at the national, regional and local levels). The Committee established that public

39 European Committee of Social Rights, 2013a, paras. 133–140.

40 European Committee of Social Rights, 2013a, para. 151.

41 European Committee of Social Rights, 2013a, para. 153.

information through awareness campaigns, especially in situations of real danger, must be carried out quickly and effectively to limit potentially serious consequences for public health. However, it admitted that the exact scope of such awareness/information campaigns may vary depending on the nature and severity of the public health issues addressed by such warnings. Simultaneously, States must demonstrate that they have undertaken concrete measures in the field of health public education/information policies, particularly for groups affected by specific issues.⁴²

States are responsible for activities that are harmful to the environment, whether such activities are carried out by public authorities or by private companies.

In the admissibility phase of *MFHR v. Greece*,⁴³ the Greek government argued that since the mining operations causing environmental damage were carried out by a private entity, the State could not be held accountable for its actions. However, the Committee, in its decision on the merits, emphasised that, regardless of the legal status of the company, Greece had the obligation to ensure compliance with its commitments under the Charter, meaning that obligations undertaken by a State cannot be circumvented in this way.⁴⁴

Similarly, in *FIDH v. Greece*, as argued by the complainant organisation, although the beginning of the pollution of the Asopos River water in the late 1960s and its subsequent increase resulted from the activities of private industries along the river, the Committee observed that the Greek authorities failed to establish that the pollution was caused by the activities of private companies operating along the river. Regardless of this situation, the Government is held responsible for the negative effects of these activities on the health of the local population, as it has the obligation to establish conditions for compliance with environmental regulations through environmental permits issued or that should have been issued, as well as the obligation to ensure the enforcement of these operating permits granted to those companies.

Overcoming pollution is an objective that can only be achieved gradually but within a reasonable time.

Thus, States must strive to achieve this objective, showing measurable progress and making the best possible use of the resources at their disposal. The measures taken by States to overcome pollution are evaluated in light of their national legislation and agreements made within the European Union and the United Nations, as well as their effective implementation in practice.

In *MFHR v. Greece*, the Committee acknowledged that the use of lignite and, implicitly, its mining, serves legitimate objectives under the Charter, such as energy independence, access to electricity at a reasonable cost and economic growth. At the same time, Greece, along with all EU Member States, was committed to concrete obligations in addressing climate change through greenhouse gas emission reduction. Overcoming pollution by reducing fossil fuels for electricity generation and

42 European Committee of Social Rights, 2013a, paras. 156–158.

43 European Committee of Social Rights, 2006, para. 109.

44 European Committee of Social Rights, para. 192.

transitioning to green energy production is a priority of EU public policies in the energy sector, and significant funds have been allocated from the EU budget through all financial instruments created for this purpose. The Committee identified several areas in which the State's efforts were considered insufficient in relation to Greece's national and international commitments to overcome pollution, leading to a failure to protect the health of the population. The Committee assessed Greece's general efforts to combat pollution in line with international emission control commitments and found that Greece's National Allocation Plan for greenhouse gas emissions, developed according to EU legislation, was far less stringent than Greece's binding targets under the Kyoto Protocol.⁴⁵ Based on these facts and other elements, the Committee found no real evidence of Greece's commitment to improving the air pollution situation within a reasonable time. In this decision, the Committee established a precedent for examining a State Party's compliance with its international environmental obligations. The same reasoning is now reflected in the Committee's conclusions regarding state reports on health protection.

To combat air pollution, in light of the right to a healthy environment, States are required to implement appropriate strategies, which should include the following measures: development and periodic updating of comprehensive environmental legislation and regulations; adoption of specific measures, such as modifying equipment, setting emission limits and measuring air quality, to prevent local air pollution and contribute to its reduction globally; ensuring the proper application of environmental standards and rules through an adequate monitoring mechanism; informing and educating the public, including school students, about general and local environmental issues; and assessing health risks through epidemiological monitoring of affected groups.

Although in the case *MFHR v. Greece*, the Committee found that the Greek Constitution included environmental protection, that Greece had adopted adequate environmental laws and regulations, had implemented the process required by the Aarhus Convention and had set exposure limits for pollution from lignite mining, the relevant measures had not been applied and enforced effectively.

The Committee has also analysed the internal measures taken by States to help reduce global air pollution in light of their obligations under global climate change agreements. Regarding public awareness and education on environmental issues, to develop a sense of individual responsibility for health, the Committee has urged States to integrate, among other things, environmental protection into school curricula and has encouraged States to ensure that environmental protection is part of public awareness initiatives, aimed at developing a sense of individual responsibility for health.

In Greece, the Committee has identified several major shortcomings, such as the limited number of environmental inspection bodies responsible for controlling the general quality of the environment and air, limited State efforts to inform and educate

45 European Committee of Social Rights, 2006, para. 207.

the public on health and environmental issues and an insufficiently organised and limited number of health risk monitoring systems. As a result, the Committee concluded that despite the margin of tolerance granted to national authorities in these matters, Greece had failed to reasonably balance the interests of people living in lignite mining areas with the public interest, thereby violating its obligations under Art. 11 (1–3) of the Charter.

In the interpretation of the ECSR, Article 11 of the Charter requires States parties to take a series of measures with a view to ensure that some of their relevant activities are in conformity with its provisions. Thus, states must take preventive and protective measures to ensure access to safe drinking water. The Committee considers access to safe drinking water essential for living with dignity and for the respect of human rights. Therefore, States must take measures to improve access to safe drinking water for rural populations. Measures include building and maintaining the necessary infrastructure to provide clean and accessible drinking water, improving water distribution systems and monitoring water quality to prevent contamination.

States must take measures to guarantee food safety to eliminate the threat posed by foodborne diseases and outbreaks of such diseases. Food safety is threatened by numerous contaminants, which can originate from environmental pollution. Therefore, Member States must establish binding national food hygiene standards, taking into account relevant scientific data. These measures include: establishing and maintaining a mechanism for monitoring compliance with these standards throughout the food chain; developing, implementing and regularly updating systematic preventive measures, particularly through labelling; and monitoring the occurrence of foodborne diseases.

States must adopt regulations and legal rules regarding the prevention and reduction of noise pollution. States must establish general noise regulations and adopt legal rules to regulate noise pollution, including: integrating noise prevention into regional and local land-use planning; imposing easily monitorable restrictions on temporarily noisy activities; developing action plans to reduce noise in the most severe situations; monitoring plans for the main sources of environmental noise; and creating noise maps.

Additional measures to prevent and combat noise pollution include: preventing locally generated noise from any commercial activities; reducing noise caused by urban transportation and airports; and conducting medical studies on health issues related to noise and utilising their results.

These measures are essential for protecting public health and improving the quality of life by ensuring a cleaner and healthier environment. Effective implementation of these measures contributes to the respect for fundamental human rights and maintaining high public health standards.

States must protect their populations from the consequences of nuclear accidents that occur abroad and affect their territory. Additionally, when a state obtains some of its energy from nuclear power plants, it is obligated to prevent associated risks to communities in the affected areas. The Committee established that radiation dose

limits for the population must be set in accordance with the 1990 Recommendation of the International Commission on Radiological Protection. For the EU Member States, the Council Directive 96/29/Euratom needs to be transposed into national legislation concerning the protection of workers and the public from the hazards of ionising radiation. The assessment of compliance with Art. 11 (3) varies from country to country, depending on how much energy is produced through nuclear power.

In accordance with Art. 11, States must apply a policy prohibiting the use, production and sale of asbestos and products containing asbestos. According to Art. 11 (3), the Committee established that States must also adopt legislation requiring owners of residential properties and public buildings to check for the presence of asbestos and, if necessary, remove it as well as imposing obligations on companies regarding the disposal of asbestos waste.

States have an obligation to ensure equal access to healthcare protection and adopt protective measures to ensure that environmental pollution does not stem from or contribute to discrimination in accordance with Art. E of the Revised Charter and the Preamble of the 1961 Charter. The Committee notes that Art. 11 of the Charter imposes a series of positive obligations to ensure the effective exercise of the right to health, and it evaluates compliance with this provision, particularly considering the situation of disadvantaged and vulnerable groups.

In the case of *European Roma Rights Centre (ERRC) v. Bulgaria*,⁴⁶ the Committee recognised Bulgaria's inclusive health insurance system and efforts made to ensure access to medical care for some of the most disadvantaged sectors of the community. However, it indicated that there was sufficient evidence that the Roma communities did not live in healthy environments, partly attributed to the State's failure to adopt adequate preventive policies. Specifically, the lack of protective measures to ensure clean water in Roma neighbourhoods and insufficient measures to ensure public health standards in the housing in these neighbourhoods. The Committee concluded that Bulgaria violated its positive obligations to ensure adequate access to healthcare for the Roma population, particularly through its failure to address specific issues faced by Roma communities due to unhealthy living conditions and difficulty accessing healthcare services⁴⁷. This constituted a violation of Arts. 11 (1), (2), and (3) of the Revised Charter regarding Art. E (non-discrimination).

In the case *European Roma and Travellers Forum (ERTF) v. Czech Republic*,⁴⁸ the Committee reached similar conclusions. The Committee considered that there was sufficient evidence that in many cases, Roma communities in the Czech Republic did not live in healthy environments, partly attributed to the State's failure to adopt relevant policies and the lack of protective measures to ensure clean water in Roma neighbourhoods, and insufficient measures to ensure public health standards in the housing in these neighbourhoods. Although the Czech Republic adopted the Strategy

46 European Committee of Social Rights, 2018, paras. 74–78.

47 European Committee of Social Rights, paras. 86, 93.

48 European Committee of Social Rights, 2016, paras. 117, 123–124, 127–128.

for Combating Social Exclusion 2011–2015, which includes the concept of health as part of Roma integration, progress has been too minimal to realise their rights, constituting a violation of Arts. 11 (1), (2), and (3) of the 1961 Charter in light of the Preamble.

In the case *Médecins du Monde – International v. France*,⁴⁹ Médecins du Monde claimed that the environmental risks faced by migrant Roma in France were all related to their living conditions in camps. An international NGO documented that the living conditions were degrading, with harmful and polluting waste points, a lack of access to drinking water, poor ventilation and harmful heating methods. The general condition was characterised by excessive humidity owing to the authorities' failure to instal electricity. These poor living conditions have led to respiratory, skin, and gastrointestinal infectious diseases as well as scabies. Moreover, the international NGO stated that the poor living conditions have caused multiple accidents, such as burns, gas poisoning and fires. After reviewing the evidence, the Committee concluded that Roma communities did not live in a healthy environment and reminded the Parties that they must take appropriate measures to prevent, as far as possible, epidemics, endemic, and other diseases as well as accidents. Since France failed to fulfil its positive obligation to address the specific issues faced by Roma communities due to their unhealthy living conditions, raise adequate awareness of environmental health issues and take specific measures to address these particular issues, the Committee found that there was a violation of Art. E in relation to Arts. 11 (1), (2), and (3).

5. Right to Housing in the Context of Environmental Protection and Climate Change

5.1. Regulation

'Everyone has the right to housing.'⁵⁰

'With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed: to promote access to housing of an adequate standard; to prevent and reduce homelessness with a view to its gradual elimination; to make the price of housing accessible to those without adequate resources.'⁵¹

5.2. Fundamental Principles and Relevant Jurisprudence

The Committee emphasised that the right to housing under Art. 31, Part I of the Revised Charter, in connection with Art. E regarding non-discrimination, includes the obligation of States to adopt measures to combat all forms of racial segregation in ecologically hazardous areas. States are obligated to assist disadvantaged and

49 European Committee of Social Rights, 2012, para. 183.

50 Council of Europe 1996, Part I, para. 31.

51 Council of Europe 1996, Art. 31.

vulnerable groups in improving their living conditions and environment and to ensure housing in healthy ecological surroundings.⁵²

In the case *Médecins du Monde - International v. France*,⁵³ the Committee referred to a recommendation from the Committee of Ministers on improving the housing conditions of Roma and travellers in Europe, stating, among other things, that Member States should take measures to combat any form of racial segregation in ecologically hazardous areas. This includes investing in the development of safe locations and taking measures to ensure that Roma communities have practical and affordable housing alternatives to discourage settlements in or near hazardous areas.⁵⁴ It is well known that Roma typically settled in abandoned or unhealthy environments (unsanitary), which is why they need to receive assistance to improve the sanitary conditions of their homes, including their living environments. Therefore, Member States, through their competent authorities, should ensure that Roma housing is located in suitable living areas and healthy ecological surroundings. Existing settlements that cannot be relocated from inappropriate locations should be improved with adequate ecological and constructive measures. The Committee concluded that there was a violation of Art. E in relation to Art. 31 (1), the right to housing, due to a lack of access to housing of an adequate standard and degrading housing conditions.

6. Conclusions

The ESC is an international regional treaty that seeks to ensure that all people in Europe benefit from a minimum set of social and economic rights. The ECSR is the body that uses the reporting procedure and the collective complaints procedure to foster social justice, equality and general well-being in the respective legal order of States Parties to the Charter.

In light of the case law discussed here, several general observations emerge, including the fact that the Committee's decisions in the examined matters can be grouped into two main categories: decisions in which the ECSR established new lines of jurisprudence (such as the two decisions in the cases against Greece in 2006 and 2013 and the one against Finland in 2019); and decisions in which, following these jurisprudential lines, the ECSR found nonconformity of the legislation and/or practices of a particular State Party with one or several provisions of the Charter.

In conclusion, the ECSR, a quasi-judicial body, has developed a “jurisprudence” that can be observed in all the material through which it interprets the provisions of the Charter, namely: conclusions resulting from the reporting procedure; interpretative statements in the conclusions; decisions adopted following the use of the collective complaint procedure.

⁵² Troilo, 2024; See for further details: Council of Europe, 2022.

⁵³ European Committee of Social Rights, 2012, para. 183.

⁵⁴ European Committee of Social Rights, 2012, para. 183.

Bibliography

- Cliza, M.C., Spătaru-Negură, L.C. (2018) ‘Short Considerations Regarding the Economic, Social and Cultural Rights Enshrined in the Revised European Social Charter’, *Perspectives of Law and Public Administration*, 7(2), pp. 133–140. [Online] Available at: https://www.adjuris.ro/revista/articole/an7nr2/3.%20Cliza_Spataru-Negura_EN.pdf (Accessed: 2 June 2025).
- Cliza, M.C., Spataru-Negură, L.C. (2020) ‘Environmental Protection Derived from the European Convention for Human Rights and from the European Social Charter’, *Lex et Scientia International Journal (LESIJ)*, 27(2), pp. 122–134. [Online]. Available at: http://lexetscientia.univnt.ro/download/2020_XXVII_2_11_LESIJ.pdf (Accessed: 2 June 2025).
- Council of Europe (1961) *European Social Charter (ETS No. 35)*. Turin: Council of Europe.
- Council of Europe (1995a) *Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (ETS No. 158)*. Lausanne: Council of Europe. [Online]. Available at: <https://rm.coe.int/168007cdad> (Accessed: 2 June 2025).
- Council of Europe (1995b) *Explanatory Report to the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (ETS No. 158)*, Strasbourg, 9 November 1995. [Online]. Available at: <https://rm.coe.int/16800cb5ec> (Accessed: 2 June 2025).
- Council of Europe (1996) *Revised European Social Charter (ETS No. 163)*. Strasbourg: Council of Europe.
- Council of Europe (2022) *Manual on Human Rights and the Environment*, 3rd ed. Strasbourg: Council of Europe. [Online]. Available at: <https://rm.coe.int/manual-environment-3rd-edition/1680a56197> (Accessed: 2 June 2025).
- Council of Europe (n.d.) *Statements of Interpretation of the European Committee of Social Rights*. [Online]. Available at: <https://www.coe.int/en/web/european-social-charter/statements-of-interpretation1> (Accessed: 10 November 2025).
- Council of Europe, European Committee of Social Rights (2022) *Rules of the European Committee of Social Rights (Revised at the 328th Session, 6 July 2022)*. [Online]. Available at: <https://rm.coe.int/rules-rev-328-en-06-07-22-final/1680a72b88> (Accessed: 2 June 2025).
- European Committee of Social Rights (2006) *Marangopoulos Foundation for Human Rights (MFHR) v. Greece*, Complaint no. 30/2005, Decision on the Merits, 6 December 2006. Strasbourg: Council of Europe.
- European Committee of Social Rights (2008) *European Federation of National Organisations Working with the Homeless (FEANTSA) v. Slovenia*, Complaint no. 53/2008, Decision on admissibility of 2 December 2008. Strasbourg: Council of Europe.
- European Committee of Social Rights (2009) *Centre on Housing Rights and Evictions (COHRE) v. Croatia*, Complaint no. 52/2008, Decision on admissibility of 30 March 2009, §18. Strasbourg: Council of Europe.

- European Committee of Social Rights (2012) *Médecins du Monde – International v. France*, Complaint no. 67/2011, Decision on the merits of 11 September 2012. Strasbourg: Council of Europe.
- European Committee of Social Rights (2013a) *Conclusions 2013*, 6 December 2013, reference no. 2013/def/FRA/11/3/EN.
- European Committee of Social Rights (2013b) *International Federation of Human Rights Leagues (FIDH) v. Greece*, Complaint no. 72/2011, Decision on the merits of 23 January 2013. Strasbourg: Council of Europe.
- European Committee of Social Rights (2016) *European Roma and Travellers Forum (ERTF) v. Czech Republic*, Complaint no. 104/2014, Decision on the merits of 17 May 2016. Strasbourg: Council of Europe.
- European Committee of Social Rights (2018) *European Roma Rights Centre (ERRC) v. Bulgaria*, Complaint no. 151/2017, Decision on the merits of 5 December 2018. Strasbourg: Council of Europe.
- European Committee of Social Rights (2019) *ATTAC ry, Globaali sosiaalityö ry and Maan ystävät ry v. Finland*, Complaint no. 163/2018, Decision of 22 January 2019. Strasbourg: Council of Europe.
- European Committee of Social Rights (2024) *Rules of Procedure of the European Committee of Social Rights*. Strasbourg: Council of Europe.
- Guematcha, E. (2024) ‘Article 11 – The Right to Health’, in de Oliveira Carvalho, C., Santos Botelho, C., Ribeiro, A. T. (eds.) *The European Social Charter: A Commentary*, vol. 3. Leiden: Brill, pp. 1–24. https://doi.org/10.1163/9789004434141_002.
- Lougarre, C. (2015) ‘What Does the Right to Health Mean? The Interpretation of Article 11 of the European Social Charter by the European Committee on Social Rights’, *Netherlands Quarterly of Human Rights*, 33(3), pp. 326–354; <https://doi.org/10.1177/016934411503300304>.
- Lukas, K. (ed.) (2021) *The Revised European Social Charter: An Article-by-Article Commentary*. Cheltenham: Edward Elgar Publishing; <https://doi.org/10.4337/9781789903645>.
- Pedersen, O. W. (2008) ‘European Environmental Human Rights and Environmental Rights: Long Time Coming?’, *Georgetown International Environmental Law Review*, 21(1), pp. 73–112.
- Trilsch, M. (2009) ‘European Committee on Social Rights: The Right to a Healthy Environment’, *International Journal of Constitutional Law*, 7(3), pp. 529–538; <https://doi.org/10.1093/icon/mop019>.
- Troilo, S. (2024) ‘Article 31 – The Right to Housing’ in de Oliveira Carvalho, C., Santos Botelho, C., Ribeiro, A. T. (eds.) *The European Social Charter: A Commentary*, 3. Leiden: Brill, pp. 1–24.