



**Meeting of the Parties to the Aarhus Convention and to the Protocol on PRTRs,
Budva, Montenegro**

European ECO Forum statement on the Budva Declaration

We, the European ECO Forum, welcome this opportunity to address the Joint High level segment of the Meeting of the Parties, and thank Montenegro for hosting us all in their beautiful country.

Just to clarify, the context for this statement, we had hoped to deliver this in the context of the Budva Declaration, but our technology refused to participate, and we had no access to justice in dealing with it.

The Budva declaration contains powerful opening statements on the importance of all aspects of the Convention for Sustainable Development, and reaffirms the commitment of the Parties to the convention. However ironically, the declaration follows in the context of a range of particularly controversial issues highlighted during these last days about the Convention in practice, across a diverse range of parties, both as compliance decisions and also during statements made to the meetings.

For example, the declaration followed a decision by the Parties, who for the first time adopted a finding that Belarus was in serious breach of the convention in relation to harassment and persecution of antinuclearactivists who had opposed the construction of a nuclear power plant.ⁱ While failures under the provisions of the convention are not uncommon, the persecution and harassment of those asserting their rights is particularly egregious. The Budva declaration, on behalf of the parties, expresses “alarm” at the “increase in the harassment, silencing and even murder of environmental activists around the world.”

We submit that cases alleging harassment and persecution of environmental defenders, must be given priority. This is both in how they are investigated by the Compliance Committee and how their recommendations are dealt with afterwards. We call to the Parties to ensure this is addressed as a priority.

Other statements made to at the convention meetings this week also highlighted harassment and persecution of environmental activists in Bosnia Herzegovina, also a party to the Convention.

Additionally, concerns on the failure by the UK in particular to provide for public participation in relation to Brexit, both with the UK public and the public in other countries, were highlighted by Irish and UK eNGOs. Irish eNGO’s also commented on the EU approach in general in relation to trade deals and Brexit in particular.

In the context of such diverse range of issues, the effect of the Declaration, and the commitments it sets out, and the Parties re-affirmation to the convention within it, are in sharp focus among the non-party delegates watching these events. Today's Budva declaration will either ring out either as hollow words, or a potential pivotal turning point – depending on your perspective. It is up to the Parties to this convention.

Statements made to all of us here in the last days have highlighted how peaceful assemblies of local people and environmental groups, at the construction site of a hydro-power plant at Kruščica were removed by riot police, amidst allegations of police brutality even to pregnant women. This is in the context of allegations of serious breaches in public participation rights in the permitting procedures for the hydro-power plant.

With us here this week, is one of our colleagues who was also arrested for 5 days for her campaigning in relation to nuclear power plants and she has highlighted how: peaceful opponents of Nuclear Power Plants construction, including even experts and NGO's, have been subject to harassment in Belarus, and how it is a systematic approach and includes a wide arsenal of methods: arrests, detainment, searches, fines, deportations, and intimidation tactics.

To highlight how the absence of persecution is a fundamental and necessary pre-condition for the effective pursuit of rights under the convention and its implementation, the Chair of the compliance committee, Mr. Jonas Ebbesson had commented with typical Swedish insight that: 'you can't cook in a house which is burning'. Also, for the first time, in the history of the Convention, the Meeting of the Parties decision on the findings of the Compliance Committee, an independent panel of experts elected by the Parties, was deferred. This is of grave concern to us.

We have also heard on Brexit, from Irish and UK eNGOs and their concerns on failures to provide for public participation within the UK, and by the EU, given the profound environmental implications of Brexit. The importance of a robust compliance mechanism in a post-Brexit context, has never been more important to all the parties, to protect their interests and have their voices heard on decisions within the UK post Brexit, impacting on their environment.

We have heard how in the context of proposed laws in the UK for leaving the European Union, people have been given no voice. Yet the Aarhus Convention is intended to give people a voice in the preparation of such laws. We will also heard of their concerns that they will be excluded from having a voice in much of the lawmaking that will follow it as proposed. This issue goes to the heart of Government accountability and transparency in law making, and ultimately will compromise our ability to protect the environment, essential to us all.

A long list of Brexit related matters with environmental consequences, where the conventions public participation rights need to be considered, both by the UK, the EU and Member States have been highlighted referred in relation to the Brexit negotiations,

including concessions under the nuclear treaty Euratom which the UK is also withdrawing from; the Border arrangements on the island of Ireland; and how the EU Court of Justice will no longer have jurisdiction over the UK, amongst other matters. The EU's failure to provide for public participation on its trade deals in general was also highlighted.

These, with other compliance decisions, task force proposals are but some of matters which highlight how much work we have before us.

For the Budva declaration to have meaning, it is critical that resources are provided to facilitate its implementation by the Parties, and for its secretariat. Failures in the regard and the uncertainties around funding – fundamentally compromised effective planning and the convention's effect overall.

In our address this morning welcomed the Budva declarations acknowledgement of the conventions role in sustainable development, at a time when our planet, our survival and those of the other species which inhabit it are threatened by our actions, our failures, and our self-interests.

Now is the time to turn our words into action, and deliver on the commitments given in the Budva declaration. The principles and provisions of this convention have become vitally important for those people who defend the environmental rights of the public in the UNECE region, particularly in the EECCA countries, and for all concerned with the environment which we all rely on.

Government and eNGO's have a joint responsibility for this convention, paraphrasing Invictus: "You are the masters of our faith, this convention. Yet we are the captains of its soul."