

Economic Commission for Europe

Meeting of the Parties to the Convention on
Access to Information, Public Participation
in Decision-making and Access to Justice
in Environmental Matters

Working Group of the Parties

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Statement on the need to promote the Aarhus Convention principles globally and persecution and harassment of environmental NGOs and activists

For a long time we have been observing systemic violations of rights to access to information, public participation in decision-making processes, and access to justice in environmental matters as well as freedom of association in the EECCA region. This has led to conditions in which effective implementation of the right to the environment being favorable for human life and health is almost impossible. The situation is worsening as countries in the region face an economic recession.

We often face the issue that significant environmental decisions are being made by governments without proper public participation, with the main priority of gaining short-term economic benefits. In these circumstances, protection of the environment is not taken into due account with decision regarding the environment. Economic priorities for many countries in the region today are associated with structural economic reforms, turning to the development of new economic sectors, diversification of international financial institutions, private investors' involvement in financing developmental plans, programs, and projects. These processes create significant new risks for the environment that require strategic assessment and public participation and subsequently proper environmental enforcement of the environmental requirements.

Development and implementation of environmental policy based on precautionary principles preventing environmental hazards and compliance with environmental requirements are impossible without open and constructive dialogue between governments and non-governmental organizations based on effective access to information, public participation, and access to justice in environmental matters. Moreover, we call to strengthen activity on the global promotion of the Aarhus Convention principles and provisions, with due account of expanding the geographic origin of international financial institutions and investors in the region, stressing the importance of the Almaty guidance on the application of the principles of the Convention in international forums.

The Aarhus Convention (Article 3(4)) recognizes the important role of environmental NGOs as the key driver for effective access to information, public participation in decision-making processes, and access to justice in environmental matters. The Maastricht Declaration also recognizes the importance of protecting environmental activists and whistleblowers, freedom of speech and the safe participation of citizens in decision-making affecting their lives. Nevertheless, governments in the EECCA region in recent years have been diminishing the role of environmental NGOs in the decision-making process, such as their exclusion from and establishment of selective mechanisms of public participation and even by their attempts to harass and persecute them for participation in environmental decision-making processes and activities. In this regard, we are concerned about the tendency to make public participation processes proforma and ineffective, particularly by expanding practices of persecution and harassment of environmental NGOs and activists by public authorities and officials.

In light of the increasing risks for the activities of environmental NGOs and activists in many countries of the EECCA region we call upon the Parties to consider this issue at the sixth session of the Meeting of the Parties of the Aarhus Convention.

Supported by

Vadim Ni, Ecoforum of NGOs of Kazakhstan, Almaty, Kazakhstan

Eugene Simonov, Coalition "Rivers without boundaries", Moscow, Russia

Sergio Magonov, NGO "Ecohome", Minsk, Belarus

Alexey Zimenko, Biodiversity Conservation Center, Moscow, Russia

Askhat Kayumov, Ecocenter "Dront", Nizhniy Novgorod, Russia,

Hrant Sargsyan, NGO Eco-club "Tapan", Yerevan, Armenia

Igor Hadjamberdiev, Antitoxicity network of Central Asia, Bishkek, Kyrgyzstan