



Aarhus Convention
24th Working Group of the Parties (WGP 24)
(Geneva, 1-3 July 2020)
- Comments by the EU and its Member States on Agenda item 7 (a)

Agenda item 7 (a): Future work programme

The EU and its Member States would like to thank the Bureau and the Secretariat for preparing background documents regarding the issue of a rapid response mechanism to deal with cases related to article 3, paragraph 8, of the Aarhus Convention.

We recognize that environmental human rights defenders face increasing threats, violence and other safety problems as a result of their work and we fully support efforts to protect human rights defenders, including environmental human rights defenders, and to ensure respect of their fundamental rights. Therefore, the EU is interested in discussions on a possible mechanism to better respond to cases where environmental human rights defenders are penalized, persecuted or harassed in any way for their peaceful work promoting and exercising their human rights.

Before choosing between the options presented we ask for the following clarifications:

1. We would like to stress that Article 3, paragraph 8, has two sentences and we ask for clarification on which sentence the proposed rapid response mechanism is related to. This is important for the avoidance of any doubt in the future and this should be included as well in writing in the final text proposed for agreement by the Working Group of Parties.

2. Noting the information included in the background paper, we ask for additional information and more clarity on the actual situation of environmental defenders and their challenges among the Parties to the Aarhus Convention. In this regard the information in the draft note is not specific enough. We want to be able to determine what mechanism and which measures are proportionate and the best way to respond to the urgent cases and needs from environmental human rights defenders in the ECE region and for this we would like to get more information.
3. It would be useful to describe more in detail the scope of powers that should be granted to the special rapporteur or other body. Especially with regard to point 8 of the Annex I we ask for a more accurate description of what is a “protection measure”.
4. A final question which in our view is not clear from the background paper in Annex I is how cases handled by the Rapporteur should be handled in a possible follow-up. Should they for example be automatically transferred to the Compliance Committee for a review and/or possible follow-up once the Rapporteur has fulfilled her/his mandate?

The EU and its Member States will assess the different options presented at a later stage, based on the requested further information
