UN Special Procedures: protection of environmental human rights defenders

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WHO ARE SPECIAL PROCEDURES?

Special Procedures – a spotlight on individual and collective human rights

- Human Rights Council appoints to address country situations/global thematic issues;
- experts (Special Rapporteur) or a group (Working Group) of experts from each world region;
- appointed (max two 3-year terms) for expertise and serve voluntarily in their personal capacity;
- must act independently and impartially.
WHO ARE SPECIAL PROCEDURES?

- **44 thematic mandates** to monitor thematic human rights issues globally;

- **12 country mandates** to monitor the situation in specific countries;

- supported by OHCHR personnel for policy, research and logistical support.

Relevant mandates:
- SR environment and human rights
- SR human rights defenders
- SR freedom of expression
- SR freedom of association and assembly...
Environmental harm affects a wide range of human rights including rights to life, health, water, food, housing, etc.

Exercise of such human rights as access to information, to participation and remedies is important in environmental matters.
The right to take part in the government and in the conduct of public affairs includes participation in environmental decision-making!

Sources:
- Universal Declaration of Human Rights, art. 21;
- International Covenant on Civil and Political Rights, art. 25;
- American Convention on Human Rights, art. 23.
- Arab Charter on Human Rights, art. 19.
- ASEAN Human Rights Declaration, arts. 25(1) and 35.
Application of the obligation to ensure and facilitate participation:

- UN/Global Human Rights Bodies;
- Regional Human Rights Bodies;
- International Environmental Instruments, such as Aarhus Convention (arts. 6-8)
WHAT DO SPECIAL PROCEDURES DO?

- INFORM
- ENABLE
- PROTECT
- ADVOCATE
SPECIAL PROCEDURES AND ENVIRONMENTAL DEFENDERS

INFORM

- Consult States and civil society;
- Address protection, legal and policy gaps;
- Publish reports:
  - framework principles on human rights and the environment;
  - environmental good practices;
  - protection good practices;
  - environmental defenders;
  - global recognition of the right to a safe and healthy environment.
SPECIAL PROCEDURES AND ENVIRONMENTAL DEFENDERS

ENABLE

- **Country visits**;
- Engage with all three State branches;
- Bridge between authorities and civil society;
- Build capacity;
- Technical and advisory support.
PROTECT

- Receive confidential complaints of human rights violations (from victim, family, lawyer, NGO, others);
- Verify the facts and seek consent of the victim(s);
- Communicate allegations to the government to clarify;
- Assess the government’s reply;
- Publish communication reports;
- Follow up and monitor cases.
ADVOCATE

- Advocate globally;
- Consultations and workshops;
- Public statements;
- Social media;
- Quiet diplomacy.
FINAL THOUGHT - WHO IS A HUMAN RIGHTS DEFENDER?

Any person or group who promote and strive for the protection and realization of human rights and fundamental freedoms, nationally and internationally (UN Declaration on human rights defenders, art.1).

- NGO members, human rights activists
- Lawyers, trade unionists, environmentalists
- Journalists, bloggers, NHRIs, etc…
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