

The below statement has been delivered by the Center for International Environmental Law on behalf of the European ECO Forum at the 24th meeting of the Working Group of the Parties of the Aarhus Convention on October 29th, 2020.

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Good afternoon dear colleagues,

In the following, I would like to highlight challenges but also developments with regard to the promotion of the Aarhus Principles in the context of negotiations and implementation processes under the UN Climate Agreements.

In our interventions during previous PPIF thematic sessions, we raised concerns about the fact that Aarhus Parties regularly failed to uphold their legal obligation under article 3.7 to promote the application of the Aarhus Principles.

Today however we are happy to report that Aarhus Parties have played a significant role in ensuring that procedural rights are not disregarded in critical conversations related to the implementation of the Paris Agreement.

While most of the rules related to the implementation of the Paris Agreement were adopted in 2018, a critical negotiation process is still ongoing to define the **modalities that will govern carbon trading under article 6 of the Paris Agreement**. As we have reported here in the past, the rules established for carbon trading under the Kyoto Protocol disregarded the need for human rights and social safeguards and resulted in the violation of the procedural rights of local communities impacted by projects implemented with the financial support of Aarhus Parties. The modalities relating to the new carbon trading mechanism under the Paris Agreement must prevent any such abuses and integrate human rights and social safeguards guaranteeing that no project implemented in the name of the Paris Agreement will support the violation of the rights of the indigenous peoples and local communities.

At the Climate COP-25 in Madrid last year, **Norway** joined **Switzerland's** efforts to ensure that adequate safeguards be integrated in these modalities - a position supported explicitly by the **European Union** at the end of the Conference. We welcome the clear position that Switzerland, Norway and the EU have adopted on this issue as the risk for human rights violation is particularly concrete in the context of this carbon trading mechanism. As the pressure increases to finalise these rules next year in Glasgow, we call upon all Parties to continue to uphold their duty to protect procedural rights in relation to these discussions - and look forward to the **United Kingdom's** leadership to ensure that no decision harming human rights is adopted in Glasgow under its steering role.

In addition to this agenda item, climate negotiations next year offer a crucial opportunity to promote Aarhus principles in climate policies with the adoption of a new work programme under the UN Framework Convention on Climate Change in relation to **Action for Climate Empowerment**. Action for Climate Empowerment covers five thematic themes including access to information and public participation and would be a natural vehicle for the promotion of the Aarhus Principles in the implementation of the UN climate agreements. In particular, the principles of the Aarhus Convention should inform future work in this work programme so as to guarantee that both access to information and public participation in climate policy-making is understood in a rights-based context. We are glad that the **EU** referred to the Aarhus Convention [in its written submission related to this work area](#). We call upon other Parties, particularly **Norway, Switzerland** and the **United Kingdom**, to fulfil their obligation to promote Aarhus Principles in this specific context.

More broadly, the **effective participation of civil society in the UNFCCC process** has come under additional challenges over the past twelve months. The last minute relocation of the Conference last year from Santiago to Madrid had an alarming impact for civil society groups that had invested months to plan for the conference expected to be hosted in Chile.

At the COP-25, **France** - together with Costa Rica and Uruguay and with the support of CIEL, hosted a **briefing regarding relevant principles and obligations contained in the Aarhus Convention and the Escazù Agreement**. We thank these delegations for their leadership with regards to these issues as well as Ms. Fiona Marshall for her insightful intervention during the event. We strongly believe that such interventions are critical to ensure that delegates from Aarhus Parties do uphold their obligation to promote Aarhus Principles in international processes to which they participate.

Finally, we would like to call on the attention of the Aarhus Parties to one critical opportunity to promote access to information and public participation in the implementation of the Paris Agreement. Domestic processes related to the planning and implementation of **Nationally Determined Contributions** must fully reflect the principles and obligations laid out in the Aarhus Convention. We call upon Parties to refer to these principles explicitly when communicating their NDCs to the UNFCCC as well as to provide brief information regarding how these obligations are and will continue to guide national climate policies.

We encourage the Aarhus Focal Points to relay these key messages to your counterparts who are dealing with the climate process.

We will continue to closely monitor the position upheld by Aarhus Parties in the context of the UN climate process - as well as the critical role that the **United Kingdom** will play with the support of **Italy** as host of key UN climate meetings next year. The role of the host country remains critical of UN environmental conferences for effective public participation in these processes. With the finalisation of rules related to carbon trading under the Paris Agreement and the adoption of this new work programme on Action for Climate Empowerment, next year will be critical for the adequate promotion of Aarhus principles in the context of UN climate agreements.

I thank you for your attention.

