



Aarhus Convention
Follow-Up to the
24th Working Group of the Parties (WGP 24)
- Comments by the EU and its Member States on Agenda item 7 (a) -

Agenda item 7 (a): Future work programme – Rapid response mechanism

The EU and its Member States would like to repeat their thanks to the Bureau and the Secretariat for preparing additional 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 recall 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 and its Member States have further assessed the different options presented, based on the discussions during the 24th Working Group and the additional information provided by the Bureau and the Secretariat.

During the assessment, further questions arose that we would like to forward to the Bureau and the Secretariat:

- We would like to ask the Secretariat for some more clarification on the legal basis for establishing a rapid response mechanism with the proposed powers under the Aarhus Convention, especially in case of option 3, when such mechanism would envisage creating a post of a special rapporteur.
- We are aware that it is difficult to estimate the exact cost of the mechanism. Nevertheless, we would be grateful if the Secretariat could provide us with an

approximate estimation of costs of the mechanism for one year, especially for option 3. We wonder if the rapporteur would be given a remuneration apart from the expenses listed in paragraph 23 of the note

- Also, we kindly ask the Secretariat to inform the Parties on how the Secretariat foresees to finance the mechanism.
- Furthermore we would like to ask for further clarification on how the proposed powers of the rapid response mechanism will result in the protection of those subject to non-compliance under Article 3(8) and if there are any sanctions proposed for Parties that fail to follow the protection measures imposed by the mechanism.
- We would also like to ask how exactly the mechanism will lead to a quicker response than the interim orders that exist under other international protection measures.

Due to the remaining open questions and the need for further discussion, we are not yet able to finally decide on one of the options presented. However, we can already state that we would like to focus the discussions on options 2 b) and 3) and prefer not to pursue options 2 a) – due to the workload especially for the chair and the vice-chair of the Committee - and 4) – due to the overlap with the political level - any further.

The main reasons for our approach are the costs outlined as well as our conviction that we need a mechanism that can react as quickly as possible.

The EU and its Member States will continue its internal discussions as soon as possible and will assess a draft decision prepared by the Bureau and the Secretariat after its publication for examination by the forthcoming 25th Working Group of the Parties to the Aarhus Convention.
