

Intervention at Aarhus WGP-24 by Francesca Carlsson on behalf of the European ECO Forum

Agenda Item 8: Promotion of the Principles of the Convention in International Forums

I would like to draw particular attention to the modalities for participation and engagement by environmental NGOs at the UN Environment Assembly.

UNEA was set up to bring together all the environment ministers of all states, effectively making it a world parliament for the environment. Stakeholders are able to engage at UNEA through a system of 9 Major Groups: a system which originates from the Rio process.

At the world's parliament for the environment, environmental NGOs do not have their own Major Group, but they are represented alongside all other NGOs, even together with those who may focus on very different causes. This means that, effectively, at the highest UN body dealing with environment, environmental NGOs are not recognised as having a particular role in environmental decision-making, which is otherwise a key element in the Aarhus Convention.

Having said this, environmental NGOs have found the means to influence decision-making at UNEA through informal practices. Civil society participation at UNEA level is mainly based on good practices that have evolved and that have been supported by UNEP rather than being based on formal agreements of the member states. The only formal rule is that UNEA meetings are, in principle, held in public, unless the Chair decides otherwise. However, due to the increasing hostility towards NGOs and the shrinking of civil society space that we are witnessing over the world, including in countries that are Aarhus Convention parties, the generally open practice that has been established over the years at UNEA is under threat.

Given the lack of formally adopted rules of engagement, the participation of NGOs during UNEA sessions may vary greatly as it is the Chair's discretion to decide whether to allow stakeholders to take part or not. Regrettably, NGOs and other stakeholders have occasionally been excluded from meetings with governments. This is particularly problematic now that we are dealing with the COVID pandemic, where the informal avenues before and during UNEA that have otherwise been available to environmental NGOs to influence decision-making are no longer there, or have been severely limited or have mutated radically. We risk situations in which government representatives will meet and take decisions in physical meetings, whereas civil society participation will be limited to the virtual meetings, with reduced chances of influencing the actual decision-making.

Efforts to separate NGOs and other Major Groups from government meetings is completely incompatible with the spirit of sustainable development and with what was achieved in Rio. And under Article 3(7) of the Aarhus Convention, as well as in the Almaty Guidelines, Aarhus Parties are to promote the application of the principles of the Aarhus Convention in international forums. We therefore call on all Parties to the Aarhus Convention to ensure, as far as possible, that there is effective public participation of environmental groups within UNEA.