



**European Ecoforum statement from Attracta Uí Bhroin for:**

**8. Thematic session on the promotion of the principles of the Convention in international forums**

**Timing: Thursday 23 June, 10 a.m.–12.50 p.m.**

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Madame Chair, Distinguished delegates, Dear Participants,

The climate crisis, ever-increasing loss of biodiversity and environmental degradation across the world are widely recognised as some of the greatest challenges ever faced by the international community. A recent *Intergovernmental Panel on Climate Change* IPCC report<sup>1</sup>, finds that worldwide action on climate resilient development is even more urgent than previously assessed. It also importantly recognizes: “the interdependence of climate, ecosystems and biodiversity, and human societies (*Figure SPM.1*) and integrates knowledge more strongly across the natural, ecological, social and economic sciences than earlier IPCC assessments.”<sup>2</sup>

*The Coronavirus pandemic, also highlighted the close link between environmental concerns and global health.*

Yet despite this context for the essential role of environmental human rights defenders - 24 years on since the adoption of the Aarhus Convention on 25 June 1998, the Aarhus community will be taking important decisions on a Special Rapporteur for a Rapid Response Mechanism for Environmental Human Rights Defenders.

While welcome, it is deeply troubling this has been necessary.

To complement this initiative, it is now essential that the Aarhus Community of State Parties reach out proactively to influence the wider international context

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<sup>1</sup> [\(IPCC\) Working Group II Report, Climate Change 2022: Impacts, Adaptation, and Vulnerability](#)

<sup>2</sup> [Climate Change 2022: Impacts, Adaptation and Vulnerability, Summary for Policymakers](#)

essential to deliver on a healthy environment so key to Human Rights as recognised in Article 1 of this Convention.

Covid-19 lead to certain regressions on environmental democracy, compounded by the pressure for economic recovery. This risks now being exacerbated by the emerging energy and food crisis consequent on external impacts from the many deeply appalling effects of the invasion of Ukraine. Corporate and economic interests in instances are being used to trample on environmental democracy, and most egregious of all – the interdependent climate & biodiversity crises are even being used at times to justify this.

In all international fora these trends must be reversed by proactive engagement of Parties to the Aarhus Convention consistent with their Article 3(7). We must not turn a blind eye on how our decisions & in-actions effect those in other jurisdiction, and how our insatiable thirst for fossil energy in particular drives suffering and hardship and compromises the interests of indigenous people & the environment in other jurisdictions, directly & indirectly.

There are many fora we could speak to but we wish to highlight these specific initiatives:

**The first is** the open-ended intergovernmental working group established & mandated by the Human Rights Council<sup>3</sup> to elaborate an international legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises with respect to human rights. October 2021 saw the 7th session of negotiations with a third revised draft text *serving as the basis for State-led direct substantive intergovernmental negotiations*.<sup>4</sup>

The week before, paragraph 14 of the Geneva Declaration adopted at the 7<sup>th</sup> Meeting of the Parties to the Aarhus Convention, noted those UN negotiations and stressed the importance for all Parties to uphold the Aarhus principles in them, and to press for inclusion of those principles in the substantive text, *in line with their obligations in international decision-making under article 3 (7) of the Aarhus Convention, and the calls therein*. Yet despite that, it is clear from

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<sup>3</sup> Resolution [26/9 of 26 June 2014](#)

<sup>4</sup> The report of the 7<sup>th</sup> session is [here](#)

the record of concrete suggestions during that session to the text<sup>5</sup> there could have been much more proactive engagement from Aarhus parties to amending the text, and in supporting progressive proposals to it, and pushing back on less progressive suggestions. In fact many Aarhus Parties were entirely absent from those negotiations.

With a further modified text due in July, and further negotiations in 2022 – we call on all Aarhus Parties to engage proactively, and to be vigilant and resist any weakening of the text. There are clear & important opportunities to reflect in the emerging text Aarhus principles *on: information; participation; the conditions necessary for meaningful access to justice, non-discrimination; non-regression; the special role of environmental non-Governmental organisations and the need to protect environmental defenders.*

A further opportunity arises with a proposed new protocol to the European Convention on Fundamental Rights on the right to healthy environment, which is clearly complementary to Article 1 of the Aarhus Convention. This is to be considered by the Council of Europe with important opportunities arising under Ireland's current presidency and who we urge to vigorously champion this initiative, and Aarhus Parties to support.

*Thank-you for your attention and should any Party wish further information, we would be delighted to facilitate liaison with those working closely on these matters.*

**Attracta Uí Bhroin**

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<sup>5</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/268/13/PDF/G2226813.pdf?OpenElement>