

## **Statement on the behalf of the European ECO Forum on the Opening of the third Extraordinary Session of the Meeting of the Parties to the Aarhus Convention**

Let me extend our thanks on the behalf of the European ECO Forum to you, Mr. Chair, and to all of the delegates, all of the participants, who have gathered here for what is truly a historic moment, namely the election of a Special Rapporteur under the newly-created Rapid Response Mechanism.

And it is a historic, monumental moment. Let us not be mistaken or mince words. This moment is worthy of the Convention and the principles and purposes which underly it. And worthy of the Aarhus Family, which we have all worked to create and sustain for over 20 years together.

At the same time, this moment is bittersweet. Why is that?

It is because the Rapid Response Mechanism and its Special Rapporteur was not something invented spontaneously, out of nowhere. Rather it was born out of the recognition that, as significantly as the Convention has served to develop environmental democracy, as extraordinary the achievements of the Compliance Committee are, the Convention can do more. Promises more. Needs to do more, and as a matter of urgency, which was also suggested by my colleague Ms. Uí Bhroin earlier today. Because we NGOs, and other members of the public indeed experience penalization, persecution and harassment when we try to exercise our rights under the Convention – be it SLAPPs, or other such attacks, to the persecution and ultimate annihilation of legal persons in Belarus, which was subject to the Compliance Committee’s review.

But I would be remiss if I said that this is the end of our concerns. Because we are all also truly saddened, angry frankly, that this great accomplishment cannot be achieved with the presence and participation of some of our best colleagues due to Russia’s war against Ukraine. This is all the more bitter given that some of these colleagues have served the Convention from its earliest days, have labored to develop the case law of the Compliance Committee both generally, but also specifically under article 3(8) of the Convention. They were also among the very first to recognize the need for a new mechanism, and labored to realize this, too.

Now I must at this point acknowledge that the Aarhus Family has already taken meaningful steps to support environmental defenders in Ukraine, including our colleagues there.

Thus, as I pointed out yesterday, on 27 February, the Chair of the Compliance Committee wrote a letter expressing its grave concern for environmental defenders and their families in occupied territories, and called upon all Parties to ensure their safety and provide support. Also, as you, Mr. Chair, noted yesterday, this was swiftly followed by a letter from you in your capacity as the Chair of the Bureau in support of those concerns and calls. Once again, thank you, Mr. Chair, and thanks to all the members of the Bureau. Thereafter, Hungary submitted its own letter, assuring that it would indeed answer the calls as expressed by the Committee’s Chair. We thank you as well. And then the EU and its Member States submitted a letter recently, expressing their full solidarity with Ukraine and the Ukrainian people, condemning in the strongest possible terms Russia’s unprovoked and unjustified act of aggression against Ukraine, and offering to provide all necessary support. I do not believe this was ever acknowledged in a public forum, so let me do so now, and to express our heartfelt thanks for this gesture as well. Similarly we thank the interventions from the floor, such as from Norway earlier today, and again just now, together with those of the EU, UK, and Switzerland.

These bodies and Parties to the Convention truly live up to the principles behind the UNECE and I regret the voices of others in the UN system have not always been so swift, direct, and powerful. Let me convey from my colleagues in Ukraine that every voice, every word of support, matters and is valued.

Now, today we can do something more, and we must. Not only for the Convention, but to strengthen the UNECE itself, under whose aegis other MEAs exist.

Thus we call on all Parties at this third extraordinary session of the Meeting of the Parties:

Do not disappoint those who have created this instrument, who labored over every case, clause and comma that underlies decision VII/9; do not disappoint those who were behind it, yet cannot be here to present, to enjoy the fruits of their labors; and do not disappoint ourselves, the Aarhus Family, who collectively made it.

Elect a Special Rapporteur, and set the Rapid Response Mechanism in motion. And in doing so, let us be sure to elect someone who can truly fulfill and exercise this mandate, effectively guide the mechanism's development in this formative stage. We hope that consensus can be reached, but this cannot be at the cost of an effective Rapporteur. And from what little bit I could observe and experience from the collegial interactions amongst the Parties, and with us, the European ECO Forum, I am optimistic that we can, and we indeed will, get this done.

Thank you.