

3rd Extraordinary Meeting of the Parties to the Aarhus Convention

(ExMOP 3)

(Geneva 23-24. June 2022)

Agenda Item 1 / 4: Environmental Defenders, Rapid response mechanism & Special Rapporteur

Norway

Thank you Chair,

Norway joins the previous speakers and condemns Russia's attack on its neighbour Ukraine. The attack is unjustified, unprovoked, and irresponsible. Russia's attack has devastating effects also on the environment and on the ability of environmental human rights defenders to act as agents of change and exercise their rights in accordance with the Aarhus Convention without the risk of being penalized, persecuted or harassed in any way. It is a clear violation of international law. I also reiterate Norway's unwavering support for Ukraine's sovereignty and territorial integrity, within its internationally recognized borders.

Thank you Chair,

We are facing grave challenges due to loss of biodiversity, increased pollution and global warming. They are all caused by human activity and can only be solved by humans. Environmental human rights defenders are essential agents of change. They stand in the nexus between climate, environment, economy, human rights, and sustainable development. Or absence thereof.

The protection of human rights defenders is an important priority for Norway. When Norway put forward resolution 40/11 on environmental human rights defenders in 2019, it was in recognition that they, together with human rights defenders working on land rights and indigenous rights, were among those most exposed to threats, violence, and killings. It is deeply concerning to see that this trend has continued despite the unanimous support for the resolution.

Environmental human rights defenders are a resource, not a threat. Their knowledge, expertise and alternative perspectives can improve decision-making and implementation, and ensure better and more sustainable outcomes.

The situation of environmental human rights defenders has proven to be challenging also within Parties to the Convention, as breaches of the

obligations under Article 3(8) do occur. Environmental human rights defenders who exercise their rights in Parties to the Convention may therefore also need more rapid protection than the compliance procedure under the Convention provides for.

Therefore, decision VII/9 establishing a rapid response mechanism for the protection of environmental defenders that was adopted by the Meeting of the Parties last year was an important step towards strengthening of their protection and for the advancement of environmental democracy.

The effect of the mechanism on the safety and protection of environmental human rights defenders exercising their rights under the Aarhus Convention depends on its use by the defenders, the respect of the Parties for the mechanism and the work of the Special Rapporteur.

Election of a Special Rapporteur for Environmental Defenders is therefore an important matter. The requirements to be met by the Special Rapporteur are set out in Decision VII/9 (Annex litra K, paragraph 18). Based on this, we believe that the Special Rapporteur to be elected should have extensive experience within the human rights field and especially with regard to the rights of, challenges faced by and mechanisms to protect human rights defenders, in particular environmental human rights defenders. The Special Rapporteur should furthermore be experienced in international cooperation and contact with authorities in different countries, including the necessary diplomatic and language skills. It is important that the Special Rapporteur has broad support among the Parties to the Aarhus Convention and civil society organisations within the environmental field.

Norway has carefully considered all the four candidates nominated. We consider all four candidates to be good candidates fulfilling the requirements. We do however consider that Mr. Forst and Mr Ebbeson stand out as the candidates with the most relevant and extensive experience covering human rights in general and procedural human rights and the rights of environmental defenders. They Forst has done an excellent job as UN Special Rapporteur on Human Rights defenders, and for that we commend him. Ebbeson did an excellent job as chair of the Aarhus Convention Compliance Committee for many years, and for that we warmly thank him. They are therefore our strongly preferred candidates, and we are ready to support the one of them that receives the broadest support among the Parties to the Aarhus Convention and civil society organisations within the environmental field.

Thank you Chair