Format for complaints to the Aarhus Convention’s
Special Rapporteur on Environmental Defenders

**I. Information on the alleged victim(s)**

Full name of each alleged victim:[[1]](#footnote-2)

Date of birth:

Sex: Female Male Other

E-mail:1

Telephone: 1

Permanent address:1

If there is more than one alleged victim, provide the above information for each alleged victim.

If the alleged victim is an organization, briefly describe in the box below the nature of the organization and its activities, including whether it is engaged in promoting environmental protection (200 words maximum).

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**II. Information on complainant(s)**

Explanatory note:

The identity of the complainant(s) will be kept confidential unless they explicitly waive their right to confidentiality.

Full name of person, organization or Party submitting the complaint:[[2]](#footnote-3)

Email:2

Telephone:2

Permanent address:2

If the complaint is made by a group of persons, provide the above information for each person and indicate one contact person.

If the complaint is submitted by one or more organizations or by a Party to the Convention, provide the following information for the contact person authorized to represent the organization(s) or Party in connection with this complaint:

Name: 2

Title/Position:
Telephone:2
Email:2

**III. Party concerned**

Explanatory note:

The Special Rapporteur may investigate the alleged persecution, penalization or harassment of a person or persons for seeking to exercise their rights under the Aarhus Convention by any State that is a Party to the Convention.

Such persecution, penalization or harassment may result from the actions of the Party concerned. It may also arise from a failure by the Party concerned to act to protect the alleged victim(s) from persecution, penalization or harassment by third parties, including private actors or other States.[[3]](#footnote-4)

The list of Parties to the Aarhus Convention is available here:

<https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-13&chapter=27&clang=_en>

Specify which Party to the Aarhus Convention is the subject of this complaint.

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Check the relevant box to indicate which of the following is applicable:

 The alleged persecution, penalization or harassment is due to the actions of the Party concerned.

 The alleged persecution, penalization or harassment is due to the actions of private actors, and occurred on the territory of the Party concerned.

 The alleged persecution, penalization or harassment is due to the actions of private actors and did not occur on the territory of the Party concerned, but it is alleged that the Party concerned is nevertheless responsible for the actions of the private actors involved.

 It is not known which of the above is applicable.

If the complaint concerns more than one Party to the Convention, please specify in the box below which of the above is applicable for each Party concerned.

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**IV. Nature of the alleged persecution, penalization or harassment**

Explanatory note:

The Special Rapporteur’s mandate is to take measures to protect any person who is either:

(a) Experiencing persecution, penalization or harassment; or

(b) At imminent threat of persecution, penalization or harassment

in any way, for seeking to exercise their rights under the Aarhus Convention.[[4]](#footnote-5)

In the box below (please extend box as needed):

(a) Briefly summarize the events, actions or measures that it is alleged constitute persecution, penalization or harassment of the alleged victim(s).

(b) Clearly specify how the alleged persecution, penalization or harassment is related to the exercise by the alleged victim(s) of their rights under the Convention.

(c) Provide a chronology of the events, actions or measures that it is alleged constitute persecution, penalization or harassment of the alleged victim(s) for seeking to exercise their rights under the Convention.

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Explanatory note:

It is important to **attach** to the complaint any available supporting documentation that substantiates:

(a) The events, actions or measures (e.g. relevant legislation or court judgments) that it is alleged constitute persecution, penalization or harassment of the alleged victim(s).

(b) That the alleged persecution, penalization or harassment is related to the exercise by the alleged victim(s) of their rights under the Convention.

All documentation should be provided in the **original language**, together with a **good quality** **English translation** thereof, or if that is not possible, a good quality translation in French or Russian.

Has the alleged persecution, penalization or harassment been reported to the relevant authorities of the Party concerned?

 Yes No Don’t know

If yes, please specify when and to which authorities of the Party concerned.

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Has the Party concerned taken action to prevent or investigate the alleged persecution, penalization or harassment, to punish the alleged perpetrators, or to provide compensation to the alleged victim(s)?

 Yes No Don’t know

If yes, please specify which actions have been taken by the Party concerned and when.

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**V. Consent of the alleged victim(s) to the submission of the complaint**

Explanatory note:

The Special Rapporteur will not be able to take up the complaint unless the person(s) or organization(s) subject to the alleged persecution, penalization or harassment have consented to the complaint being submitted.

Whenever possible, the written consent of the alleged victim(s) to the submission of the complaint should be **attached** to the complaint at the time that it is submitted. (Important: If the written consent of the alleged victim(s) is not attached to the complaint, this will necessarily delay the Special Rapporteur acting on the complaint, since he or she will not be able to take up the complaint until the written consent of the alleged victim(s), or their representative, has been obtained.)

Check the relevant box below concerning the consent of the alleged victim(s) to the submission of this complaint to the Aarhus Convention’s Special Rapporteur on Environmental Defenders.

 The written consent of each alleged victim named in the complaint is attached to the complaint.

 The written consent of the alleged victim(s) cannot be obtained (for example, because the alleged victims have been subject to enforced disappearance), but the written consent of an immediate family member or legal representative of each alleged victim named in the complaint is attached to the complaint.

**VI. Consent of the alleged victim(s) to the disclosure of their identity**

Explanatory note:

Information submitted to the Special Rapporteur will be kept confidential unless the complainant explicitly waives the right to confidentiality. However, maintaining the confidentiality of the identity of the alleged victims may impact upon the Special Rapporteur’s ability to perform his or her functions. [[5]](#footnote-6)

Accordingly, unless disclosure of their identity may put them at serious risk of further persecution, penalization or harassment, the consent of each alleged victim to the disclosure of their identity as described in point (a) below, and preferably points (b) – (e) also, should be attached to the complaint.

Whenever possible, the written consent of the alleged victim(s) to the disclosure of their identity should be **attached** to the complaint at the time that it is submitted.

Does **each** of the alleged victims consent to the disclosure of their identity as follows:

(a) To have their name(s) disclosed in any correspondence regarding this complaint with the Party concerned?[[6]](#footnote-7)

 Yes No

(b) To have their name(s) disclosed in any correspondence regarding this complaint with intergovernmental organizations, non-governmental organizations, businesses, military or security companies?[[7]](#footnote-8)

 Yes No

(c) To the disclosure of their name(s) by the Special Rapporteur in the media, including social media, in order to draw attention to the alleged violation(s) and their need for protection?

 Yes No

(d) To the disclosure of their name(s) in any correspondence, documents or information regarding this complaint that may be posted on the website of the Aarhus Convention?

 Yes No

(e) To the disclosure of their name(s) in reports by the Special Rapporteur to the Meeting of the Parties to the Aarhus Convention and in any referral that may be made by the Special Rapporteur to the Aarhus Convention Compliance Committee?

 Yes No

**VII. Additional requests for confidentiality**

Clearly highlight any information contained in the complaint, besides the identity of the complainant or alleged victim(s), for which confidentiality is requested.

Briefly specify in the box below why the confidentiality of that information is requested.

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**VIII. Use of other international procedures**

Has a complaint regarding the alleged persecution, penalization or harassment described in the present complaint been submitted to any other Special Rapporteur and/or international human rights court or procedure?

 Yes No Don’t know

If yes, please specify to which other Special Rapporteurs and/or international human rights courts or procedures a complaint has been submitted, and on which date. Please also specify what, if any, actions have to date been taken by each procedure.

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**IX. Signature**

Sign and date the complaint. If the complaint is submitted by an organization or a Party to the Convention, a person authorized to sign on behalf of that organization or Party must sign it.

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**X. Sending the complaint**

Send the complaint by **email** to the following address: Aarhus-EnvDefenders@un.org

Clearly indicate in the subject line of the email: Complaint to the Special Rapporteur on Environmental Defenders.

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1. The Special Rapporteur may not be able to take up the complaint if he or she cannot contact the alleged victim(s) or their representative. [↑](#footnote-ref-2)
2. The Special Rapporteur may not be able to take up the complaint if he or she cannot contact the complainant. [↑](#footnote-ref-3)
3. ECE/MP.PP/C.1/2017/19, para. 70, and decision VII/9, annex, para. 1, final sentence. [↑](#footnote-ref-4)
4. Decision VII/9, annex, para. 1. [↑](#footnote-ref-5)
5. See decision VII/9, annex, para. 5. [↑](#footnote-ref-6)
6. See decision VII/9, annex, para. 6 (d). [↑](#footnote-ref-7)
7. See decision VII/9, annex, para. 6 (e). [↑](#footnote-ref-8)