

Statement by Justice and Environment concerning Agenda Item 3(b)(i): Draft decisions on compliance with the Convention

Dear Chair,

Thank you for the floor. I am intervening spontaneously now in reaction to the statement from our distinguished colleagues from Belarus as they are the first Party, following alphabetical order, who have brought some issues to this floor which concern more general issues which are of great concern to us, as we feel they essentially challenge the Implementation Committee itself, and thus ultimately, fundamental principles underlying the Convention. So I wish to stress that these comments are not directed specifically at Belarus. Rather, we are also aware that other Parties, such as Bulgaria and Czechia, are also bringing forward substantive objections to decisions concerning their compliance. Accordingly, I wish to make some broader comments on general, systemic issues.

I wish to firstly thank the Implementation Committee for its outstanding work, and special thanks are due to the secretariat also. Without this crucial support, the Implementation Committee's work, and indeed all of the work under the Convention would not be possible.

That being said, I must convey on the behalf of civil society our grave concern that some Parties are proposing either non-endorsement of decisions concerning their compliance and/or significant substantive changes to these decisions, which could render such decisions meaningless. This is hugely problematic and undermines both the work of the Implementation Committee, the body charged with the mandate for reviewing implementation and compliance, and the Convention in general.

I will leave it to further discussion, and in particular comments from my colleague at OEKOBUERO, if needed, as regard other decisions on compliance. But generally, I find the arguments brought forth by Belarus, Bulgaria, and Czechia, who are challenging the compliance decisions against them are either simply reiterating arguments already put forward in the proceedings before the Implementation Committee and were already considered and reviewed by this body of experts. Or they are claiming to introduce new substantive information. In either case, a non-endorsement or change of the decisions concerning compliance are unjustified and unacceptable.

Due process has already been provided through the Implementation Committee, its decision-making and procedures. Thus were this Meeting of the Parties to make any changes to these decisions, it would be a violation of these fundamental principles of due process. It would also mean applying double standards in respect to those Parties already addressed by compliance decisions in the past, as well as other Parties now subject to compliance decisions. Our eyes are on you today. And your actions today will also be judged not only by other Parties in the room, by us CSOs, but also by the youth, by future generations, as they are those who will be the parties most affected by the actions you take today.

Should any substantive changes require consideration, which to be clear, I absolutely dispute, again, this is not a matter for the Meeting of the Parties. Rather, it is a matter that needs to be referred to and considered by the Implementation Committee, which is the proper, elected body of experts which has the mandate to do exactly this.

And again, I wish to thank that body, the Implementation Committee, and the secretariat which supports it, for this important work. Thank you.