

**The UN Special Rapporteur on Environmental Defenders under the Aarhus Convention
releases a position paper on**

***State repression of environmental protest and civil disobedience:
a major threat to human rights and democracy***

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On 28 February 2024, the UN [Special Rapporteur on Environmental Defenders](#) under the [Aarhus Convention](#), Michel Forst, released a position paper on *State repression of environmental protest and civil disobedience: a major threat to human rights and democracy*.

The position paper provides an overview of the Special Rapporteur's observations on the trend of repression and criminalization of peaceful environmental protest and civil disobedience identified during his visits to various European countries that are Parties to the Aarhus Convention.

The position paper explains that this trend spans at least four dimensions: the media and political discourse, legislation and policy, law enforcement, and the courts, and it provides a snapshot of the main issues for each of these dimensions, illustrated by examples drawn from various countries.

“The repression that environmental activists who use peaceful civil disobedience are currently facing in Europe is a major threat to democracy and human rights. The environmental emergency that we are collectively facing, and that scientists have been documenting for decades, cannot be addressed if those raising the alarm and demanding action are criminalized for it. The only legitimate response to peaceful environmental activism and civil disobedience at this point is that the authorities, the media, and the public realize how essential it is for us all to listen to what environmental defenders have to say.”

The position paper concludes with the following five calls for action to States on how to make a profound change in how they respond to environmental protest, and also urges the human rights community to coordinate their efforts to support this call for action:

1. First and foremost: States must address the root causes of environmental mobilization.
2. In terms of the media and political discourse: States must take immediate action to counter narratives that portray environmental defenders and their movements as criminals.
3. In terms of legislation and policy: States must not use the increase of environmental civil disobedience as a pretext to restrict the civic space and the exercise of fundamental freedoms.
4. In terms of law enforcement: States must comply with their international obligations related to freedom of expression, peaceful assembly and association in their response to environmental protest and civil disobedience and immediately cease the use of measures designed for counterterrorism and organized crime against environmental defenders.
5. And with respect to the courts: States must ensure that the courts' approach to disruptive protest, including any sentences imposed, does not contribute to the restriction of the civic space.

***About the UN Special Rapporteur on Environmental Defenders
under the Aarhus Convention**

The mandate of [Special Rapporteur on Environmental Defenders](#) was established under the Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters ([Aarhus Convention](#)). In October 2021, the Meeting of the Parties to the Aarhus Convention adopted, by consensus, [Decision VII/9 establishing a rapid response mechanism for the protection of environmental defenders](#) in the form of a Special Rapporteur on Environmental Defenders, to deal with cases related to article 3 (8) of the Convention.

Article 3(8) requires that: *“Each Party shall ensure that persons exercising their rights in conformity with the provisions of this Convention shall not be penalized, persecuted or harassed in any way for their involvement.”* The role of the Special Rapporteur on Environmental Defenders is to take measures to protect any person experiencing (or at imminent threat of experiencing) penalization, persecution, or harassment for seeking to exercise their rights under the Aarhus Convention. The Special Rapporteur on Environmental Defenders is the first mechanism specifically safeguarding environmental defenders to be established within a legally binding framework either under the United Nations system or other intergovernmental structure.

Michel Forst was elected by consensus as the first Special Rapporteur on Environmental Defenders at the [third extraordinary session](#) of the Meeting of the Parties to the Aarhus Convention, on 24 June 2022.

The Aarhus Convention is an international instrument open for accession to any UN Member State. There are currently [47 Parties](#) to the Aarhus Convention (the list is available [here](#)).

Contact

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