



Twenty-eighth meeting of the Working Group of the Parties to the Aarhus Convention

Agenda item 6(a)(ii): Special Rapporteur on environmental defenders

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We would like to congratulate the Special Rapporteur for his tireless work promoting a safe and enabling environment for everyone defending the right to defend a healthy environment. OHCHR is happy to support this mandate.

In Europe and Central Asia, Environmental Human Rights Defenders (EHRD) are particularly targeted and impacted by shrinking civic space trends in the region, also due to a political landscape which has proved unfavourable to progressive environmental policies and activism in a number of States.

These trends include restrictions to freedom of association, including the dissolution of associations on grounds of counter-terrorism and national security legislation; restrictions to freedom of peaceful assembly, from bans on demonstrations to disproportionate policing measures, surveillance and the criminal prosecutions of protesters and activists; legal harassment, including through Strategic Lawsuits Against Public Participation (SLAPPs); as well as individual attacks and threats, both offline and online.

Through peaceful protests, people can express grievances and discontent. Undue restrictions and/or crackdowns on peaceful protests, have a chilling effect and can have serious consequences for the effective ability of people of all views and walks of life to join peaceful demonstrations on issues that matter. In brief, when faced with devastating impacts of climate change and environmental emergency, protests – loud, sometimes briefly disruptive – are essential.

This also encompasses non-violent civil disobedience or direct-action campaigns, both offline and online. Human rights law covers civil disobedience as a legitimate form of protest, and thus participants should not be criminalized or face disproportionate responses for civil disobedience. Safeguarding the rights to freedom of expression, assembly and association must always be the rule, and any restrictions to those rights exceptional.

Recently and worryingly, many climate protestors were vilified as “eco-terrorists” by the media in some European countries which may gain rapid pace in other regions across the world, making the already dire situation of EHRDs worse.

The Declaration on Human Rights Defenders reiterates that each state has the obligation to protect, promote, and implement all human rights and fundamental freedoms, and to take proactive steps to create and maintain an enabling environment for human rights defenders. The effective protection of EHRDs should be a priority for states and the international community.

Ensuring a safe and enabling environment, where EHRDs can act free of threats, restrictions and insecurity, is crucial to safeguard EHRDs' ability to advocate, monitor, and defend the right to a clean, healthy and sustainable environment, pushing for action necessary to protect people and the planet and tackle the root causes of the environmental crisis.

Thank you.