



European Ecoforum: Addnl statement #* - Attracta Uí Bhroin

Agenda Item 6a (ii) Special Rapporteur on Environmental Defenders

Note: Text in [*italics*] won't be delivered to keep within time – it is left in for clarity and completeness.

Good afternoon Chair, Madame Chair of the Aarhus Convention Compliance Committee, Special Rapporteur, Distinguished delegates, Fellow Participants,

On behalf of Eco Forum, and indeed the wider constituency of the public, we thank Special Rapporteur Mr Michel Forst for his efforts for all who are suffering under or in threat of penalisation, persecution and harassment simply for exercising their rights in conformity with the Convention.

It is deeply alarming that we are seeing an increase in hostile narratives around the exercise of such rights, not just from vested interests, but from within the establishment and political classes and civil and public servants of Parties to the Convention, including in some instances extending to concerning comments regarding our Courts. These narratives pave the way for the expansion of what we are seeing as deeply concerning actions targeting individuals and groups. Both of these then operate to dissuade the wider constituency of the public from seeking to exercise their rights under the Convention. This is at a time when it has never been more necessary for the public to engage, as part of their duties and rights under the Convention.

On a more positive note, we also wish to acknowledge the financial contributions not just by Ireland and Austria to the funding of staffing for the Rapid Response Mechanism over a four year period, but also of a number of other Parties who have contributed most generously to the mandate on a discretionary basis also. We encourage them all to build on these financial commitment in how they proactively engage to support environmental defenders at national level.

We also acknowledge extraordinarily generous external funding, providing the Special Rapporteur with further significant external support and resources to undertake his mandate.

We are conscious however, that given the years of practical experience and the legal expertise with the secretariat to the Committee on the Convention, that the reliance by the Special Rapporteur on this expertise, has led to further and new demands on this already over-stretched resource, clearly impacting on their ability to support the work of the Committee.

As the Special Rapporteur acknowledged in his first public addresses, including with the Compliance Committee, Compliance with the Convention is, the best and most important way to support environmental defenders. When those rights are effectively implemented, this means all those ordinary members of the public seeking to exercise their rights under the Convention is seen as the norm, and those seeking to vilify, persecute, penalise or otherwise harass them, will be the outliers. It is therefore disappointing that the video clip we have all just seen did not use this as an opportunity to highlight this important message and the important role of the Compliance Committee.

It is therefore imperative, in order to facilitate effective and efficient leverage of resources and expertise, while not compromising the work on compliance, that additional resources are provided to the Compliance Committee, *[and I will speak further on this during tomorrows sessions.]*

We wish to thank and acknowledge the support of the RRM resources Teresa, the further support of the Committee's secretariat, Fiona in particular, and external resource Laetitia.

Finally, *[I am conscious that we are now 2 years into the Special Rapporteurs mandate, and fast approaching his final year.]* **As with any new mechanism, it is only sensible to take stock in order to evaluate how we can work more effectively and efficiently; to leverage optimally what we have got, and to work together to ensure delivery of what is needed to support the work.**

So we would encourage frank, active and constructive engagement by the Special Rapporteur, in particular with the Aarhus Convention Compliance Committee. *[This is given their role and expertise in interpreting the Convention, and dealing with compliance issues.]* For example this might include: considering the optimal ways to deal with complaints made to the Special Rapporteur, looking at issues which warrant the rapid response his mandate was established to address, and how best leverage the Committee's focus on compliance relevant to those complaints, and given its role in interpreting the Convention, and to ensure consistency in messaging around Convention obligations.

We stand ready to engage and assist in any way we can with this constructive evaluation to ensure that the mechanism ultimately is working in the best interests of environmental defenders, and the environmental focus, and rights and obligations at the heart of the Convention's objective.

Attracta Uí Bhroin, Environmental Law Ireland.