



Aarhus Convention 28th WGP

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July 2024, Agenda item 6(a)(ii) special rapporteur:

Dear Chair, dear Secretariat and dear Delegates and colleagues,

I would like to draw your attention to the proliferation of so-called “Foreign Agents Laws” in a number of Parties, as this directly relates to the ability of environmental defenders to operate. These laws are inspired by the measures introduced in Russia more than a decade ago, intended to eliminate critical voices against the government and which have had huge negative impact on the ability of NGOs to do their work in Russia.

A very recent example is Georgia’s “foreign agents law”.

The legislation, requiring civil society and media organisations that receive more than 20% of their funding from abroad to register as “organisations serving the interests of a foreign power,” echoes Russia’s repressive law and poses severe threats to freedom of expression and association.

The Georgian law not only undermines democratic values but also endangers environmental advocacy, as many NGOs crucial in the fight for environmental protection and sustainability in Georgia rely on international support. This has an impact on media freedom and the availability and access to information as well. There have been instances of physical attacks on environmental defenders for being so-called “foreign agents” which proves that the law leads to social division and silencing of defenders. We stand in solidarity with civil society organisations (CSOs) of Georgia, in particular, the EEB’s Georgian members CENN, Center for Participation and Collaboration, and Green Alternative, whose important work protecting the environment is directly threatened by this development. We also stand in solidarity with the many brave citizens who have taken to the streets of Tbilisi in protest and faced violent crackdowns for defending their rights.

Further, in Kyrgyzstan a law was passed in April whereby NGOs that receive funding from abroad will be registered as “foreign representatives” and they will be subject to costly reporting and auditing requirements, and which may amount to an almost unrestricted administrative control. Also, on the EU borders in the Republika Srpska in Bosnia Herzegovina, a similar law thankfully failed in parliament, but it can still be repropounded in a few months’ time.

And the EU is not immune: Slovakia is toying with the same kind of legislation, and Hungary attempted to pass such a law in 2017, which failed. There is now a Hungarian “Defence of National Sovereignty”



Law, which is subject to an on-going infringement procedure by the EU Commission. This law results in an institutional intimidation tactic and harassment, leading to a chilling effect and to the potential silencing of any association, media or NGO that receives foreign funding: they may be prevented from saying anything about environmental policies or measures for fear of being accused of being a proxy of a foreign power.

The ECO Forum is alarmed by all these developments and this regressive and draconian trend in some Aarhus Parties. While regulation on transparency of political funding to preserve democratic processes and protect them from real illegitimate interferences is one thing, these foreign agents laws are grossly disproportionate. What all these laws do is to conflate and legitimize conspiracy theories, feed polarization, eliminate the plurality of voices that are necessary in a healthy democracy, and create a vague and generic political enemy of whoever is not under the control of the governing powers.