Format for complaints to the
Special Rapporteur on Environmental Defenders under the Aarhus Convention

**I. Date of complaint**

**II. Information on the victim(s)**

**If the victim(s) is an individual:**

If the victims include more than one individual, insert a row for each victim in the table below and provide the requested information for each individual.

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| --- | --- |
| **Victim 1** | Full name of victim:[[1]](#footnote-2) Date of birth:Gender: Female Male Other Prefer not to answerE-mail:1 Telephone: 1Permanent address: |
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**If the victim(s) is an organization**:

If the victim(s) is an organization, briefly describe in the box below the organization and its activities, including how it is engaged in promoting environmental protection (200 words maximum). If the victims include more than one organization, insert a row for each victim in the table below and provide the requested information for each organization.

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| --- | --- |
| **Organization 1** | Name of the organization:Work area of the organization:Main activities of the organization: |
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**III. Information on complainant(s)**

Explanatory note:

The complainant is the person, organization or Party submitting a complaint and may be different from the victim(s). The identity of the complainant(s) will be kept confidential unless they explicitly waive their right to confidentiality.

If the complaint is submitted by more than one individual or organization, provide the information below for each complainant and indicate one contact person on behalf of all complainants.

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| **Complainant 1**  | Full name of the complainant:[[2]](#footnote-3) Email:2Telephone:2 Permanent address:2If the complainant is an organization, provide the following information for the **contact person** authorized to represent the organization in connection with the complaint:Name: 2 Title/Position:Telephone:2 Email:2 |
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**IV. The Party to the Aarhus Convention involved in the persecution, penalization or harassment**

Explanatory note:

The Special Rapporteur may investigate the alleged persecution, penalization or harassment of an environmental defender by **any State that is a Party to the Convention**. This State is called “the Party concerned”.

The persecution, penalization or harassment may result from the actions of State entities of the Party concerned. It may also arise from a failure by the Party concerned to act to protect the victim(s) from persecution, penalization or harassment by third parties, including private actors, companies or other States.[[3]](#footnote-4)

The list of States that are Parties to the Aarhus Convention is available here:

<https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-13&chapter=27&clang=_en>

Specify which State that is a Party to the Aarhus Convention is the subject of this complaint:

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**V. Nature of the alleged persecution, penalization or harassment**[[4]](#footnote-5)

Explanatory note:

The Special Rapporteur’s mandate is to take measures to protect any person who is either:

(a) Experiencing persecution, penalization or harassment; or

(b) At imminent threat of persecution, penalization or harassment

in any way, for seeking to protect their right to live in an environment adequate to their health or well-being.[[5]](#footnote-6)

In the box below (extend box as needed):

(a) Briefly summarize the events, actions or measures that it is alleged constitute persecution, penalization or harassment.

(b) Clearly specify how the persecution, penalization or harassment is related to the victim(s)’ efforts to protect the environment.

(c) Provide a chronology of the relevant events, actions or measures.

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Explanatory note:

It is important to **attach** to the complaint any available supporting documentation that substantiates:

(a) The events, actions or measures (e.g. court judgments) that constitute the alleged persecution, penalization or harassment.

(b) That the persecution, penalization or harassment is related to the victim(s)’s efforts to protect the environment.[[6]](#footnote-7)

All documentation should be provided in the **original language**, together with an **English translation** thereof, or if that is not possible, a translation in French or Russian. It is not necessary to provide a professional, certified translation. A good quality machine translation (for example, through DeepL or Google Translate) will suffice.

Has the alleged persecution, penalization or harassment been reported to the relevant authorities of the Party concerned?

 Yes No Don’t know

If yes, specify when and to which authorities of the Party concerned:

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Has the Party concerned taken action to prevent or investigate the persecution, penalization or harassment, to punish the perpetrators, or to provide compensation to the victim(s)?

 Yes No Don’t know

If yes, specify which actions have been taken by the Party concerned and when:

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**VI. Consent of the victim(s) to the submission of the complaint**

Explanatory note:

The Special Rapporteur will not be able to take up the complaint unless the person(s) or organization(s) subject to the alleged persecution, penalization or harassment have consented to the complaint being submitted.

Whenever possible, the written consent of the victim(s) to the submission of the complaint should be **attached** to the complaint at the time that it is submitted. (Important: If the written consent of the victim(s) is not attached to the complaint, this will necessarily delay the Special Rapporteur acting on the complaint, since he or she will not be able to take up the complaint until the written consent of the victim(s), or their representative, has been obtained.)

Check the relevant box below concerning the consent of the victim(s) to the submission of this complaint to the Special Rapporteur.

 The written consent of each victim named in the complaint is attached to the complaint.

 The written consent of the victim(s) cannot be obtained (for example, because the victims have been subject to enforced disappearance), but the written consent of an immediate family member or legal representative of each victim named in the complaint is attached to the complaint.

**VII. Consent of the victim(s) to the disclosure of their name**

Explanatory note:

Information submitted to the Special Rapporteur will be kept confidential unless the complainant explicitly waives the right to confidentiality. However, maintaining the confidentiality of the name of the victims may impact upon the Special Rapporteur’s ability to perform his or her functions. [[7]](#footnote-8)

Accordingly, unless disclosure of their name may put them at serious risk of further persecution, penalization or harassment, the consent of each victim to the disclosure of their name as described in point (a) below, and preferably points (b) – (e) also, should be attached to the complaint.

Whenever possible, the written consent of the victim(s) to the disclosure of their name should be **attached** to the complaint at the time that it is submitted.

Does **each** of the victims consent to the disclosure of their name as follows:

(a) To have their name(s) included in any correspondence regarding this complaint with the Party concerned?[[8]](#footnote-9)

 Yes No

(b) To have their name(s) included in any correspondence regarding this complaint with intergovernmental organizations, non-governmental organizations, businesses, military or security companies?[[9]](#footnote-10)

 Yes No

(c) To the inclusion of their name(s) by the Special Rapporteur in the media, including social media, in order to draw attention to the alleged violation(s)?

 Yes No

(d) To the inclusion of their name(s) in any correspondence, documents or information regarding this complaint that may be posted on the website of the Aarhus Convention?

 Yes No

(e) To the inclusion of their name(s) in reports by the Special Rapporteur to the Meeting of the Parties to the Aarhus Convention and in any referral that may be made by the Special Rapporteur to the Aarhus Convention Compliance Committee?

 Yes No

**VIII. Additional requests for confidentiality**

Clearly highlight any information contained in the complaint, besides the name of the complainant or victim(s), for which confidentiality is requested.

Briefly specify in the box below why the confidentiality of that information is requested:

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**IX. Use of other international procedures**

Has a complaint regarding the persecution, penalization or harassment alleged in the present complaint been submitted to any other Special Rapporteur and/or international human rights court or procedure?

 Yes No Don’t know

If yes, specify to which other Special Rapporteurs and/or international human rights courts or procedures a complaint has been submitted, on which date, and what, if any, actions have to date been taken by each such procedure:

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**X. Signature**

Sign the complaint. If the complaint is submitted by an organization or a Party to the Convention, a person authorized to sign on behalf of that organization or Party must sign it.

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**XI. Sending the complaint**

Send the complaint by **email** to the following address: Aarhus-EnvDefenders@un.org

Clearly indicate in the subject line of the email: Complaint to the Special Rapporteur on Environmental Defenders.

Send any questions on how to complete the complaint form by email to Aarhus-EnvDefenders@un.org.

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1. The Special Rapporteur may not be able to take up the complaint if he or she cannot contact the victim(s) or their representative. [↑](#footnote-ref-2)
2. The Special Rapporteur may not be able to take up the complaint if he or she cannot contact the complainant. [↑](#footnote-ref-3)
3. ECE/MP.PP/C.1/2017/19, para. 70, and decision VII/9, annex, para. 1, final sentence. [↑](#footnote-ref-4)
4. The terms “penalization”, “persecution” and “harassment” should be understood in their ordinary meaning and are meant to cover retribution of any kind. Regarding the ordinary meaning of these terms: “to penalize” means to impose a restriction or penalty on, to put at a disadvantage; “to harass” means to trouble or vex by repeated attacks; and “to persecute” means to seek out and subject (a person, group, organization, etc.) to hostility or ill-treatment; to oppress, to torment. See ECE/MP.PP/C.1/2017/19, paras. 67-69. [↑](#footnote-ref-5)
5. Decision VII/9, annex, para. 1, and ECE/MP.PP/C.1/2017/19, para. 66. [↑](#footnote-ref-6)
6. ECE/MP.PP/C.1/2017/19, para. 66. [↑](#footnote-ref-7)
7. See decision VII/9, annex, para. 5. [↑](#footnote-ref-8)
8. See decision VII/9, annex, para. 6 (d). [↑](#footnote-ref-9)
9. See decision VII/9, annex, para. 6 (e). [↑](#footnote-ref-10)