

CRUDE ACCOUNTABILITY

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Statement on Defending Environmental Defenders
OSCE Human Dimension Implementation Meeting 2017
Working session 4: Ensuring equal enjoyment of rights and equal participation in political and public life

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Ensuring equal enjoyment of rights and equal participation in political and public life

This statement can be called cross-session as it concerns a problem affecting freedom of association, democracy at the local level and the right to public participation.

The rights of environmental defenders throughout the OSCE region, but particularly in the countries of the former Soviet Union, are under active attack. The right of environmental defenders to participate in public life and enjoy their right to assembly and expression has been and continues to be severely curtailed by the authorities, and requires a robust response from the OSCE.

Dual pressure, characterized by the implementation of both physical and legal threats against environmental defenders, has resulted in a smaller and smaller space for environmental defenders throughout the region. Those environmental defenders who continue to work in the decreasing space risk life and limb as they are in increasing danger of physical and legal retaliation by the authorities or unknown assailants who are not apprehended.

Systematic attacks against the Russian environmental NGO, Environmental Watch on the North Caucasus, serve to illustrate the point: over the past 20 years, 140 human rights violations against EWNC were documented in a [report](#) just published by [Crude Accountability](#) and [Ecoforum of NGOs of Kazakhstan](#). Of those 140 violations, 70 occurred between 2012 and 2016. These included beatings, arbitrary detention, arrest and imprisonment, arbitrary document checks, etc. A member of the organization stated that he spent over 50 percent of his time dealing with pressure and threats from the authorities rather than working on environmental issues. This harassment is a clear violation of the organization's ability to enjoy equal rights and participation in public life.

The Foreign Agent Law in Russia has had a disastrous impact on environmental NGOs, and similar laws in other countries have done the same. Additionally, Russia's undesirable organization law has further isolated environmental defenders from their allies around the world.

Sadly, the case of EWNC is not unique in Russia or in other countries of the former Soviet space. Environmental defenders in Azerbaijan, Belarus, Georgia, Kazakhstan, Turkmenistan, and Ukraine have also suffered systematic harassment by the authorities, severely limiting their ability to function as protectors of the environment. The combination of physical abuse and legal attacks has created a dangerous working environment for environmental defenders, and the implication of governments appears to be that environmental defenders are unpatriotic, criminal, or working against the national interest of their country. In this regard, defamation of environmental defenders is also a universal tactic employed by governments and state-run and state-funded media. In virtually every case in our report, environmental defenders are publicly maligned, defamed, and slandered.

Procedural rights such as the rights to assembly, expression, or information, are critical to environmental protection. Several environmental problems, including pollution and climate change, are recognized to affect a host of rights. In addition, many constitutions and a number of regional human rights frameworks include an independent right to an adequate and healthy environment. All these countries except Russia have ratified the Aarhus Convention and in many cases, have put in place procedures and structures that on paper, guarantee the right to public participation. However, a procedure or a structure without the civil society organisations to use it will amount to window dressing.

The right to live in a healthy environment is a human right. There is a fundamental link between environmental issues and a wide array of fundamental human rights. These focused attacks on environmental defenders are not only damaging specific ecosystems, endangered species, biodiversity and other realities that seem far away from our everyday life. They are damaging a whole political and legal set up. In addition, if even environmental rights, that we all considered “non-political”, or “non-controversial” up to not long ago, are under the same attack of political rights -then we may well be entering a human rights winter, as one of the experts talking at the plenary said.

[We call](#) on the OSCE to consider the focused attacks on environmental defenders as a concerted effort to stifle members of civil society and damage the ability of environmentalists to actively participate in public life and experience equal enjoyment of rights throughout the OSCE region, and to raise the visibility of environmental rights, including dedicating more space to these rights in future Human Dimension meetings and other activities.