

Environmental Human Rights Defenders in Europe: Threats, Challenges & Opportunities

Monday 31 October 2016, 11:00-13:00
International Environment House II (7-9 ch. de Balexert)

Summary

A panel discussion with Award winning environmental and human rights activists working at the frontlines took place at the International Environment House, on Monday 31 October 2016. This event was organized within the framework of the Geneva Environment Network and moderated by Barbara Ruis, Legal Officer for the UN Environment Law Division & Europe Office.

WELCOMING REMARKS



In her welcoming remarks, Sylvie Motard, UN Environment Europe Office Deputy Director mentioned that the topic of Environmental Human Rights Defenders (EHRDs) is getting higher and higher attention as they are facing unprecedented risks and challenges in their environmental activism, in every region of the world. Every week, on average, two environmental and land rights activists are killed. In March 2016, the Human Rights Council adopted a resolution, which requires states to protect human rights defenders. Earlier this month, the UN Special Rapporteur on the situation of human rights defenders – Michel Forst – presented a new report¹ to the General Assembly, examining the root causes of attacks perpetrated against EHRDs and presenting concrete recommendations to a range of actors including business and investors for reversing the trend. In the coming weeks, the UN special rapporteur on Human Rights and the Environment – John Knox – and the Universal Rights Groups will be launching a report and a portal to support EHRDs work.

Sylvie introduced the Chair of the Board of the Right Livelihood Award Foundation, Monika Griefahn, a former Member of the German Parliament and former Minister of Environmental Affairs in Lower Saxony. Monika co-founded Greenpeace Germany, of which she was first Executive Director and later Member of the International Board of Directors. She has been on the Board of the Right Livelihood Award Foundation since 1986.

The Regional Conference for European Laureates of the Right Livehood Foundation took place in Geneva from Friday 28 to Sunday 30 October, and various events with the laureates were taking place, on Monday 31 October.

¹ Report A/71/281 available at http://www.un.org/ga/search/view_doc.asp?symbol=a/71/281



Monika Griefahn, offered further explanations on the Right Livelihood Award, also called the alternative Nobel prize. While the Nobel peace prize has rewarded activists, no award was ever given to those fighting for human rights, development and environmental protection. Since 1980, 166 individuals and organizations from 68 different countries have been recognized for achieving outstanding success in working for peace, human rights, sustainable development and protecting the environment. The laureates are every year presented at the Swedish parliament. Monika gave her special thanks to the Swedish parliament for their support in this regard. This year they will be present at the German parliament and with the German president.

Today, the award is recognised as a proof of courage and social transformation. Many Right Livelihood awarded could achieve what others would have never thought was possible. The award provides support to reach out to an international audience and gives crucial protection against repression. The Foundation continues to support the work of the laureates after the award, and maintains the network alive, keeping the laureates as connected as possible.

This event comes at a timely moment. Monika recalled Berta Cáceres, assassinated in March 2016 and the two young members of the 1991 Laureate, Brazil's MST Landless Rural Workers Movement, Leomar Bhorbak and Vilmar Bordim, killed in the southern Brazilian state of Paraná on 7 April 2016.

Monika stressed that a tremendous amount of EHRDs killings was registered in the past years. She mentioned that the organisation Global Witness documented the assassination of 760 defenders of the land and environment in Latin America from 2002 to 2013, and more in the recent three years.

In April 2015, Maina Kiai, Special Rapporteur on the rights to freedom of peaceful assembly and of association, mentions in its report² to the Human Rights writes that “the demand for natural resources has increased dramatically. With that demand has come a plethora of concerns relating to the sustainability of economic growth and its impact on the climate, the environment and, more generally, on human rights.” He adds that “Associations involved in environmental protection, or community mobilization against natural resource exploitation activities, or generally any activities that are perceived as a threat to natural resource exploitation operations, face heightened risks of restrictions of their rights.”

Quoting the Washington post³, Monika added “The common thread in virtually every case is the fight by communities to stop government-approved corporate development of remote

² A/HRC/29/25 available at :

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/084/33/PDF/G1508433.pdf>

³ Washington Post. 2016. For Latin American environmentalists, death is a constant companion - The Washington Post. [ONLINE] Available at: <https://www.washingtonpost.com/national/health-science/for-latin->

lands. Slain environmentalists frequently have attempted to halt such projects as dams and logging involving hundreds of millions of dollars, which stand to enrich local providers of labor and materials.”

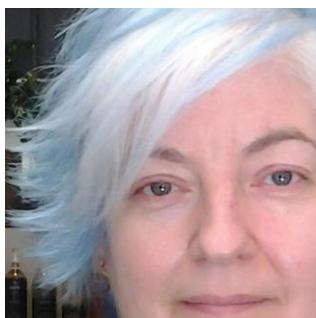
Although most threats to EHRDs happen in Latin America, Europe is not immune to it. The In 2014, a UK police unit has increasingly focused on spying in environmental campaigns, especially on campaigns related to civil disobedience in climate change. There were pressures on the freedom of speech and the freedom of the press.

The International Center for Not-for-Profit Law (ICNL) mentions a report from 2014 that found that the British police unit had been covertly monitoring nearly 9,000 British citizens deemed to hold "radical political views," and that increasingly has "focused its resources on spying on environmental campaigners, particularly those engaged in direct and civil disobedience to protest against climate change."

Monika stressed the importance of democracy and mentioned the latest crackdown on 2016 Laureate Cumhuriyet, in Turkey⁴. Cumhuriyet is Turkey’s oldest national newspaper, staunchly committed to impartiality and public interest in its reporting. Cumhuriyet employees have faced imprisonment, threats and assassinations in their outspoken reporting on issues of human rights, gender equality, secularism and protection of the environment. Media reports say Cumhuriyet’s current editor-in-chief Murat Sabuncu has been detained on 31 October, and another 12 executives had detention warrants issued against them.

Monika finished with two questions for the laureates: *“How can international actors support EHRDs?”* and *“How can we protect the tools of democracy?”*.

PANEL DISCUSSION



“There are EHRDs who put their lives at risk to defend the environment. They do it for all of us. We should not forget that. This is why UN Environment is very proud to host this event here today.” stressed Barbara Ruis, before introducing the panel.

Barbara mentioned Bertha Carceres, who was murdered this year in March, and which picture was used for the invitation of this event. She was killed when at the time when the Human Right Council was adopting a resolution on the protection of human rights defenders.

Barbara welcomed the two environmental activists, Alla and János, both from the European region, and asked them two questions: *“What kind of challenges and threats did you face as*

american-environmentalists-death-is-a-constant-companion/2016/03/25/85920f96-ec69-11e5-bc08-3e03a5b41910_story.html. [Accessed 31 October 2016].

⁴ Statement by the Right Livelihood Award Foundation on the detention of Cumhuriyet staffThe Right Livelihood Award. 2016. Statement by the Right Livelihood Award Foundation on the detention of Cumhuriyet staffThe Right Livelihood Award. [ONLINE] Available at: <http://www.rightlivelihoodaward.org/media/statement-by-the-right-livelihood-award-foundation-on-the-detention-of-cumhuriyet-staff/>. [Accessed 01 November 2016].

an environmental activist?” and “What opportunities and good practices from your achievements can you share with us?”.



Alla Yaroshinskaya became a Right Livelihood Award Laureate in 1992⁵. Born in Ukraine, she lived a city very close to Chernobyl. She worked as a journalist for a communist newspaper, which was the only authorised newspapers at that time. She explained how difficult it was for her to work in this kind of environment. She focused on the economics of plans and factories. One day, she received a letter asking for her to investigate a local contaminated zone in order to understand what had happened there. However, her editor in chief did not authorise her to go, so she went during her week-ends. She wrote articles on Chernobyl, but newspapers were not willing to publish it. The same happened in Moscow.

Later on, Alla became a deputy in Gorbachev’s Parliament (in 1988) and for the first time, she could openly speak about what had happened and was still undergoing in this zone. When the Soviet union was on the edge of breakdown, they received documents from the communist party. Many workers came to her committees, seeking information. She decided to use a 600-pages secret protocol belonging to the communist party, but was prevented to do so. She was told to make her request to the leaders of the party, who were all imprisoned at that time (1991). Alla thus decided to take these documents to Izvestia newspaper, where Alla colleagues saw them as brilliant documents. She was asked to write an article about this protocol, which she did. In the meantime, she kept all originals and copies in a safe.

For years, a large amount of the food remained contaminated in Ukraine. This food was distributed in the whole Soviet Union. During the first two weeks after the accident, about 50’000 people were hospitalised due to the consequences of the nuclear catastrophe. However, the government denied everything and stated that everyone’s health was safe.

Today, 9 million people still live and die in contaminated areas in Ukraine, Belorussia and Russia. The Ukrainian parliament adopted a new law cancelling compensations which were in place for more than 30 years. It did not enquire if the food was still contaminated or not, while a lot of families still need financial assistance for accessing healthy food. However, corruption remains high in Chernobyl contaminated areas, and it is common that for authorities to falsify documents in order to withhold the money detonated for families.

When the new President of Ukraine took office, Alla was told she had no place in Ukraine, and therefore stayed in Russia. She continued her education and focused topics such as nuclear non-proliferation and nuclear ecology. She worked as a political observer in a Russian news agency. Today, she says she can write, and many can read her work, however there is still a lot to do. Russia still faces many issues such as poverty and oligarchs controlling the government. And nuclear ecology remains a forbidden topic.

⁵ Alla YaroshinskayaThe Right Livelihood Award. 2016. Alla YaroshinskayaThe Right Livelihood Award. [ONLINE] Available at: <http://www.rightlivelihoodaward.org/laureates/alla-yaroshinskaya/>. [Accessed 1 November 2016].



“Our difficulties 30 years ago cannot be compared to today’s.” said Janos Vargha, who received the Right Livelihood Award in 1985⁶. He explained how difficult the situation in Hungary was, as the totalitarian regime made it impossible to have a discussion and/or debate including stakeholders from different backgrounds with the goal to get information on how the money was used on various projects.

The building of the dam project in Budapest started to plan just after the second world war, when Czechoslovakia and Bulgaria joined the communist bloc. “It was always the hidden story.”, explained Janos. The coal power and nuclear power lobbies were against the water authorities. In that time the water management in the late 70’s has 55’000 employees – just as much as the United States at that same time! In 1980, his first report on the dam project was forbidden from getting published, and he was only able to publish it the year after. The energy lobby and the water management ended up making an agreement about the share of the money, and there was a lot of corruption involved. Janos also released an article on this topic at the time. In 1986, the project was launched. After a public discussion, many activists decided to undertake further measures in order to stop this project. They decided to spread information and to get feedback from the people, they launched petitions and involved many stakeholders – such as high scientists – in order to stop the construction. All of their activities were forbidden by the Hungarian state. This is when they received a lot of support from the Rights Livelihood Foundation and from the WWF. This allowed them to organise a demonstration in front of the parliament, which led to the government dropping the project. In Hungary today, Janos said there is hope that no lobby will be able to reopen such a project. Around the 90’s, there was a global fall in the construction of power plants. However, since 2012, more than 55 countries took measures against environment defenders and civil societies. The Hungarian government now has very strong relations with the Putin regime, which led the two countries to sign a project for a new power plant. The taxpayer’s money is used to finance out-dated energy power projects without their consent.

The lives of many are threatened by international lobbies. Janos urged for the need to improve the human rights package so that it includes the protection of the environment. In the case of the dams, what has occurred in the last 50 years has to be re-evaluate and government should focus on new technologies such as solar and wind powers, as well as sophisticated technologies. “We need to create an intelligent green.” Claimed Janos. He gave various examples of cheap solutions to improve our energy problem, and said that places such as China, California and Germany are leaders in this movement of energy transition. He cleared the need for green investors.

This is all happening right now. Thousands of power plants are currently being planned to be constructed, mainly in Latin America, but also in Europe. Dams are also responsible for the loss of biological diversity. Only this week-end, a protest of kayakers occurred on the Danube river against the construction of a new dam.

⁶ Janos Vargha / Duna Kör The Right Livelihood Award. 2016. Janos Vargha / Duna Kör The Right Livelihood Award. [ONLINE] Available at: <http://www.rightlivelihoodaward.org/laureates/janos-vargha-duna-kr/>. [Accessed 1 November 2016].



Mariana Montoya, a researcher from the Universal Rights Group (URG), first introduced the Group. It is an independent think tank active all around the world, which seeks to strengthen policy making and implementation in the regard of human rights. The Group just started a new project on EHRDs, which recently gained the participation of many individuals and organisations. So far, the Group produced a policy report and launched a portal.

Mariana first presented the main findings of the report. It first highlights the robust existing legal framework for EHRDs, composed of international convention on human rights, including rights such as the right to self-determination, peaceful assembly and association. In this regard, the URG is grateful for the work of the Human Rights Council and many special rapporteurs who support human rights defenders in general. The report also identifies three major risks which make EHRD vulnerable: (1) they tend to fall between the protection of human rights and the protection of the environment; (2) there is a lack of systemic monitoring on the attacks that occur, on the actions these individuals undertake and on who might potentially be at risk; (3) there is a lack of understanding of the violence against EHRD as a trend, rather than isolated cases. In this regard, Mariana explained that the UN, various NGOs and the Inter American System are working together on this topic in order to give them special recognition. The report also underlines the high increase in attacks against EHRD in the past years: *“Global Witness found that 3 times more EHRD were killed in 2014 in comparison to 2002. Latin American, with Honduras and Brazil, are the most dangerous counties for EHRDs.”* and explains that the sectors involved in these crimes are mainly major extractive industries (i.e.: the timber industry in the amazon area). Perpetrators of these crimes can either be state or non-state actors, involving the military, the police, corporations and illegal armed groups. Finally, the report lists the main forms of repression EHRD face, which involves, among others, killing, demolishing their properties, criminalization, sexual violence, stigmatization, arbitrary detention, physical and psychological violence and kidnappings.

Then, Mariana introduced the upcoming portal on EHRDs. She explained it was identified that they needed to do more networking on this topic in order to give greater access to information regarding EHRDs. This portal will thus gather all relevant legal instruments for the protection of EHRD, as well as the resources to contact in case of human rights violations. It will also gather statistics and reporting data. It will be launched by the end of 2016 and available [from the UN Special Rapporteur on Human Rights and the Environment portal.](#)

Mariana finally gave an overview of the Latin American situation. She explained that the Intern American system only protects EHRDs in the connexion of Civil and Political Rights and Economic, Social and Cultural Rights. However, States have obligations vis-à-vis EHRD and can be held accountable for their violations, even if the crimes are committed by third parties such as the army, police forces or militias. In Latin America, indigenous people are particularly vulnerable, especially as 30% of extractive industries and agribusinesses are located in their ancestral territories. In this regard, 76% of the killings of indigenous EHRDs during 2015 occurred in Latin America. One of the most known case is the one of Barta Carceres. What happened to her is a perfect example of how vague is the situation for EHRDs She was a

woman, part of an indigenous community, and defending the environment, which made her vulnerable in numerous ways. As she was fighting against a hydroelectric dam which was about to be constructed on their indigenous lands, she was arbitrarily detained twice, faced corruption and violence, and ended up being executed. This woman is not the only victim, and more of her colleagues were killed after her death. Many others have been forced to leave their homes.

CONCLUSION



Lukas Heinzer, from the Permanent Mission of Switzerland to the UN in Geneva, made the closing remarks of this event. He welcomed a very rich presentation and underlined the importance of this kind of events for educating people like him who work on the topic of human rights. The event provided an opportunity to stay connected to what is happening outside of Geneva, on both the international and local levels. Lukas quoted the special rapporteur on Human Rights Defenders, Michel Forst, who refers to EHRDs as “*those on the front line*” and stated that this was not an exaggeration, as these defenders really are at risk.

Lukas also recalled that nine million people were affected by Chernobyl. In this regard, the General Assembly of the United Nations adopted a resolution to ban chemical weapons last week in Geneva. However, not all European countries voted in favour of this resolution. A lot still has to be accomplished, such as the question of compensation for victims.

Finally, Lukas mentioned that governments have the duty to listen, in response to Alla's statement “*we have the right to write, but they have the right to not listen*”. He then referred to recent civil society complaints, such as the one initiated by 459 grandmothers a week earlier in Switzerland, to make their government accountable for climate inaction⁷.

⁷ <http://klimaseniorinnen.ch>