

## **Possible means and methods to promote the implementation of human rights obligations relating to the environment**

### **1) Adoption of Aarhus Convention on *access to information, public participation in decision-making and access to justice in environmental matters* at South Asia Regional level**

- There is no system and structure e.g. organisation or commission, to act as a catalyst for influencing South Asian states for the adoption of the Convention. Although there are specific tools like Environmental Impact Assessment (EIA), Social Impact Assessment (SIA) and Strategic Environmental Assessment (SEA) provide space for public participation in the consideration of projects, plans and programs as part of states' environmental regulatory systems, but implementation of those are heavily influenced by impunity and powerful interest groups and lack transparency, accountability and MRV (monitoring, reporting and verification) mechanisms. The Commission, as proposed, can act as an independent body to examine, question and challenge the misapplication of those tools and associated transparency and accountability in question. Such intervention will support the human rights defenders to register complains/reservations on harmful plans, projects or programmes; and also to receive technical and legal assistance, if required, for further proving into the matter. This kind of mechanism, if established, can act as an alternative in absence of the Aarhus Convention, and at the same time, can establish the importance (e.g. by generating evidences) of adoption of the Convention in South Asian states.

### **2) Special Funds for the Protection of Human Rights Defenders**

- There is an urgent need to be able to act quickly in some situations, and vis-à-vis the need of an emergency fund to help human rights defenders under significant pressure or threats across the globe. The fund will enable human rights based organisations to support human rights defenders who need to relocate temporarily, to protect important communication or documents, etc. This fund will be used in case of emergencies to help support legal fees, help local/national level organisations and other activists (working for the protection of environment and associated human rights) when they are in clear danger. Countries, that have already adopted the Aarhus Convention, can be urged to make a contribution to this fund. And thereby promote the application of human rights practices in environmental issues.

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