

Concept Note: Defending the Blue Continent: Regional Capacity Building Workshop for Pacific Environmental Human Rights Defenders

Nadi (Fiji), 14-16 February 2023



DIPLOMACY
TRAINING PROGRAM



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER
Pacific Regional Office



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Introduction

The OHCHR Regional Office in collaboration with the Pacific Human Rights Defenders Network, the Diplomacy Training Program, Macquarie University's Centre for Environmental Law and the Hawai'i Institute for Human Rights will organise a regional capacity building workshop for Pacific Environmental Human Rights Defenders (EHRDs). The workshop will take place in Nadi (Fiji), on 14-16 February 2023.

The three-day workshop will provide a safe space for environmental human rights defenders across the Pacific to strengthen their collaboration in holding governments and businesses accountable for human rights violations.

Participants will learn how the special procedures of the Human Rights Council work and how they can prepare and submit complaints to relevant special procedures mandate holders about alleged human rights violations perpetrated by States or non-State actors (for instance, business enterprises, military or security companies).

Defending environmental human rights in the Pacific

All human beings depend on the environment in which we live. A safe, clean, healthy and sustainable environment is integral to the full enjoyment of a wide range of human rights – including the right to life itself.

Climate change, environmental degradation and loss of biodiversity pose existential threats to Pacific islanders, who depend on the natural environment and the sustainable management of natural resources for their survival, and have a long-term adverse impact on the equal and effective enjoyment of several human rights, including the rights to life, health, adequate housing, food, water and sanitation and safe, clean, healthy and sustainable environment.

States have an obligation to respect, protect, fulfil and promote all human rights for all persons without discrimination. Failure to take affirmative measures to prevent human rights harms caused by these three existential threats, including foreseeable long-term harms, breaches this obligation. States also have an obligation to protect human rights from harm caused by business enterprises, while businesses have a responsibility to respect human rights and to do no harm.

International human rights standards recognise that environmental issues are best handled with participation of all concerned individuals and communities, and that each individual shall have appropriate access to environmental information held by public authorities, the opportunity to participate in decision-making processes affecting them and access to effective remedies in case of human rights violations associated to environmental degradation or the unsustainable management of natural resources.

Environmental human rights defenders (EHRDs) play a crucial role in defending the rights of their communities to a safe and healthy environment, to a future with dignity and respect, and to their traditional land and livelihood. They spoke truth to power, and are exposed to threats, harassment, intimidation and violence that may result, in the most extreme circumstances, in their killing as a result of their brave action to defend and promote environmental and land rights.

advancing and shaping the human rights agenda in the Pacific and are at the forefront of defending our environment and the people who depend on it.

It is the duty of the State to respect the right of everyone to promote and protect a safe, clean, healthy and sustainable environment, necessary for the enjoyment of a vast range of human rights. The State has a parallel duty to protect environmental human rights defenders from violations committed by both State and non-State actors. Nevertheless, international human rights law makes it clear that business enterprises, the media and other non-State actors are obliged to respect human rights obligations and refrain from contributing to or committing violations.

About the UN Special Procedures

The [special procedures](#) of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. The system of Special Procedures is a central element of the United Nations human rights machinery and covers all human rights: civil, cultural, economic, political, and social. There are currently 45 thematic and 14 country mandates.

Special procedures are either an individual (called “Special Rapporteur” or “Independent Expert”) or a working group composed of five members (one from each of the five United Nations regional groupings: Africa, Asia, Latin America and the Caribbean, Eastern Europe and the Western group). Special procedures mandate holders are appointed by the Human Rights Council and serve in their personal capacities.

These experts can act on cases of violations and concerns reported to them by individuals, groups or civil-society organisations by sending letters of communications to States and others, contribute to the development of international human rights standards, engage in advocacy and raise public awareness.

With the support of the Office of the United Nations High Commissioner for Human Rights (OHCHR), Special Procedures:

- undertake country visits,
- act on individual cases of alleged violations and concerns of a broader, structural nature by sending communications to States,

- conduct thematic studies and convene expert consultations, contributing to the development of international human rights standards,
- engage in advocacy and raise public awareness, and
- provide advice for technical cooperation.

Special procedures report annually to the Human Rights Council. The majority of the mandates also report annually to the General Assembly.

The communication procedure

Communications are letters sent by the special procedures to States and others, such as intergovernmental organisations, businesses, military or security companies.

The purpose of communications is for the special procedures to:

- draw the attention of governments and others on alleged human rights violations;
- recall the applicable human rights standards;
- ask that the violations are prevented, stopped, investigated, or that remedial action is taken.

The Annual Facts and Figures, provided as an annex to the Special Procedures Annual Report since 2018, provides an overview of total communications sent and related information. Communications sent and the responses received are reported at each regular session to the Human Rights Council.

In the last five years, special procedures mandate holders addressed almost 3,500 communications to States and non-State actors. However, only seven communications were addressed to Pacific States and non-State actors (excluding Australia and New Zealand):

2022: one communication (Kiribati)

2021: two communications (Samoa; Fiji)

2020: three communications (PNG; Samoa; Fiji)

2019: one communication (Solomon Islands)

2018: no communication

Only one of these communications focused on alleged human rights violations related to the work of EHRDs, climate change, environmental degradation or the loss of biodiversity.

The majority of countries in the region (Cook Islands, the Federated States of Micronesia (FSM), Nauru, Niue, Palau, the Republic of Marshall Islands (RMI), Tonga, Tuvalu and Vanuatu) has never received a communication from special procedures.

Regional capacity building workshop for Pacific Environmental Human Rights Defenders

It is in this context that the OHCHR ROP and ... are organising a regional capacity building workshop for Pacific EHRDs.

The purpose of this workshop is to:

- Provide an opportunity for EHRDs from the Pacific to raise their concerns and priority areas relating to human rights and the environment;
- Increase the awareness of EHRDs in Pacific about the special procedures and their work;
- Analyse the work of thematic special procedure mandates focusing on human rights defenders, environmental protection and business and human rights;
- Train participants, with examples and case studies, on how to prepare and submit information on human rights violations related to the environment to special procedures mandate holders.

The regional training workshop is the first of a series of activities that OHCHR Regional Office for the Pacific intends to organise to raise awareness of the work of special procedures and their relevance for the protection and promotion of a wide range of human rights that closely depend on a safe, clean, healthy and sustainable environment and the sustainable management of natural resources.

OHCHR ROP and its partners in the region consider that training opportunities for EHRDs on special procedures represent an essential pre-condition for increasing the number of environment-related communications addressed by special procedures mandate holders to States and other actors in the Pacific region.

Format

The workshop will take place in Nadi, Fiji, on 14-16 February 2023 (venue to be confirmed).

OHCHR ROP will select approximately 28 EHRDs from the Pacific region (two participants from each SIDS covered by the regional office) who will be invited to participate in person. OHCHR will cover the cost associated with travel and living expenses during the whole duration of the workshop.

OHCHR ROP will develop the programme of the regional workshop in consultation with its regional partners. The programme will be available in January 2023.

OHCHR PRO Contact persons

For general information related to the regional capacity building workshop (programme, sessions, speakers, participation), please contact Ms Ingvild Vetthus, human rights specialist, OHCHR Regional Office for the Pacific: ingvild.vetthus@un.org

For administrative assistance (logistics, invitation letters, travel information, etc.), please contact Ms Samita Singh, Administrative Associate, OHCHR Regional Office for the Pacific: samita.singh@un.org