

UN INITIATIVE FOR ENVIRONMENTAL DEFENDERS AND THE ROLE OF ENVIRONMENTAL DIPLOMACY

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Threats, restrictions and violence against environmental defenders are on the rise globally. The UN has launched a new initiative to address the escalating violence and to assist states in upholding environmental rights and navigating the growing wave of violence against environmental activists. This brief analyses the UN's new initiative to protect lives and civil society engagement, and looks into how member states can support peace by engaging in environmental diplomacy, with a focus on Brazil.

Background

Environmental crimes such as irregular occupation of land, soil contamination and severe air and water pollution are showing an upward trend at the global level and are a major cause for concern. Brazil is a particularly striking case of rising environmental crimes, primarily in its Amazon region. In 2017, 57 environmental activists were assassinated in the country. In order to help address escalating violence, UN Environment has launched the UN Initiative for Environmental Defenders.

The [policy](#) initiative is aligned with UN Environment's "Environmental Rights Initiative," which promotes access to information on environmental rights and seeks to amplify the voices of environmental defenders, including by providing them with legal and technical support.



Protesters outside the Brazilian Embassy in Washington, standing up against deforestation of the Amazon Rainforest and demanding justice for environmental activists.

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The UN initiative's objectives and approach

UN Environment has adopted a two-pronged approach:

1. **It supports governments in fulfilling environmental rights.**
2. **It assists businesses in moving beyond a culture of compliance.**

With respect to environmental defenders specifically, the main goal is to protect such individuals from intimidation, threats, attacks and murder. The escalation in violence against environmental defenders entails the use of a "Rapid Response Mechanism". This is meant to address individual cases and to point to solutions in the form of technical and legal support to governments and other stakeholders, such as the judiciary and enforcement community, so that they can strengthen the environmental rule of law and governance in ways that will mitigate environmental and human rights abuses. At the same time, in order to boost preventive capacity, UN Environment will continue working with judges to develop and implement constitutional provisions for the environment meant to help secure environmental rights.

The UN Initiative for Environmental Defenders includes several types of actions:

- **Clarify** to the general public what environmental rights are and how best to defend them.
- **Offer a strategy** to combat the threats, intimidation, harassment and killings of environmental activists around the world. This includes working with states to address crucial issues related to environmental rights, and encouraging states to recognize and support the role of ordinary citizens in environmental protection, including indigenous peoples and local communities.
- **Facilitate cooperation** among the wide gamut of actors working with environmental rights, allowing them to join efforts and unite their voices in order to promote, protect and respect environmental rights. This includes involving civil society groups, faith-based organizations, law and policy makers, judges, prosecutors, national human rights institutions, regional human rights organizations and indigenous and local communities.

The fact is that while environmental rights have expanded more rapidly than any other area of human rights and are now enshrined in more than 100 national constitutions, violations of such rights have both increased and grown more widespread. Thus, while the initiative's launch is part of the 70th anniversary commemorations of the Universal Declaration of Human Rights, the UN and partner institutions recognize the need to shed light on, and call attention to, the "invisible" role and risks taken by environmental defenders.



Bauxite waste in Barcarena, Pará, Brazil | © Pedrosa Neto/Amazônia Real at Jeso Carneiro/Flickr [CC BY-NC 2.0]

Member states can offer support through environmental diplomacy

1. First, because the initiative builds on several other UN frameworks and efforts, member states can help promote those instruments, including the UN System-Wide Action Plan (SWAP) for coherent implementation of the UN Declaration on the Rights of Indigenous Peoples and the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. **More broadly, they can help ensure that the initiative addresses all three pillars of the UN system (human rights, development and security) and that it remains broadly aligned with the Sustainable Development Goals (SDGs).**
2. Second, in order to root the initiative and boost ownership from local institutions and citizens, UN Environment is reaching out to innovative partners, from youth groups to private sector actors. For instance, UN Environment assists businesses in better understanding what their environmental rights and obligations are and provides guidance on how to move from a culture of compliance to championing environmental rights. **Member states can help promote this “capillary reach” by also engaging a wide variety of stakeholders in their efforts to protect environmental defenders.**
3. Third, there are opportunities to engage with environmental diplomacy at the regional level. UN Environment’s efforts to boost dialogue on environmental rights with regional bodies and regional economic organizations, such as the UN Economic Commission for Africa and the UN Economic Commission for Europe, and regional economic unions such as the Economic Community of West Africa (ECOWAS) and the Southern African Development Community (SADC), and the Intergovernmental Authority on Development (IGAD), among others, opens up an opportunity to **coordinate positions and exchange lessons learned and innovative solutions, including through South-South cooperation.**
4. Yet providing political backing to the initiative is necessary not only in New York and Geneva, but also in the member states themselves. **Member states can lead by example by adopting (and then sticking to) commitments that add in concrete ways to the broad protection of environmental defenders.**



Slash and burn agriculture in the Amazon. | © Matt Zimmermann/Flickr [CC BY 2.0]

Case study: Brazil – the most dangerous country for environmental activists

The last few years have seen a dramatic upturn in killings of people who take a stand against companies and other actors committing environmental crimes. Globally, almost four environmental activists are being killed every week, with many others persecuted, intimidated and forced to leave their homes and communities. The proliferation of illegal mining, logging and pollution in the region, among other crimes, is a worrying trend, especially in light of low state capacity to prevent and deal with the impact of these activities on local communities.

In 2017, Global Witness, an international organization dedicated to denouncing human rights abuses, issued “Defender of the Earth,” [a report naming](#) Brazil as the most dangerous country in the world for environmental activists. According to the organization, 2017 was the worst year on record for environmental activists, and most of the killings, attacks (including sexual violence) and threats took place in the Amazon region. In this part of the world, many activists are targeted for defending their communities from predatory and illegal extraction of wood; expansion of cattle farms; cultivation of soy, palm oil and eucalyptus trees; illegal mining; and irregular land occupation and pollution.

Murders of indigenous people often happen outside the media glare

Against this backdrop, indigenous communities and activists are particularly at risk. Global Witness calculated that about 25% of the 207 activists killed in 2017 came from indigenous communities. Some cases make the national news, calling some attention to the issue. In August 2017, for example, Jorginho Guajajara, leader of the Guajajara people, was found dead near a river in the Brazilian state of Maranhão. According to other community members, Guajajara was killed by non-indigenous [loggers](#) eager to extract wood from the forest around the community. Guajajara’s murder made national headlines, but dozens of others have taken place outside the media limelight. The killing of environmental defenders remains by and large an invisible issue.

The negative impact of these killings is not limited to the communities’ reduced capacity to prevent environmental crimes. Impunity contributes to the spread of such attacks, whether the perpetrators are police and military (they were behind at least 43 such assassinations in 2015) or private actors such as security guards and hitmen (52 deaths). According to Global Witness, the activists themselves are often painted as criminals, “facing trumped-up charges and aggressive civil cases brought by government and companies seeking to silence them. This [criminalization](#) is used to intimidate defenders, tarnish their reputations and lock them into costly legal battles.”

There are some first promising steps that the (previous) Brazilian government took in the context of the initiative’s aims and that illustrate how the UN member states can offer support through environmental diplomacy. For example, Brazil announced measures for broader federal-level protection for environmental defenders and communicators, who also face threats when they fight to defend rights. With this welcome expansion, the Brazilian programme designed to protect environmental defenders was renamed Program for Protection of Human Rights Defenders, Social Communicators and Environmentalists. This overhaul facilitates individuals’ entry into the programme by simplifying the once-lengthy process to participate. Currently, 577 Brazilians are taking part in the programme, and its budget (around 5.4 million Brazilian reais in 2017) was recently increased.

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