



Quaker United Nations Office

PROCEDURAL RIGHTS AND ENVIRONMENT: PREVENTING CONFLICT AROUND WATER, LAND AND FOOD

25th Regular Session of the Human Rights Council 3rd – 28th March 2014

THEME

Procedural rights help underpin inclusive and participatory decision making that is crucial to prevent destructive conflict - and even violence - around natural resources. This side event seeks to underline the importance of procedural rights for achieving equitable and peaceful environmental policy outcomes. Effective public and community participation in environmental decision-making can contribute to substantive rights and 'more transparent, better informed and more responsive' environmental policy¹. The recognition of procedural rights alone, however, will not ensure the effective participation of all stakeholders, especially the vulnerable and marginalised groups, such as women, the poorest and those facing stigma.

Peacebuilding approaches, which are relevant not only to post-conflict settings, can help to create the conditions for the effective exercise of procedural rights. They can do this through, for example:

- Building stakeholder capacity: building the capacity of vulnerable groups and communities to analyse and articulate their needs and exercise their rights
- Facilitating dialogue: improving opportunities for open and informed dialogue between different stakeholders
- Broadening context analysis: assisting policymakers and others to be aware of aspects of environmental policy that may be overlooked
- Contributing to institutional reform: assisting stakeholders in designing and implementing the reform of formal and informal institutions

The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention) is an example of the existing international instruments that can greatly contribute to the exercise of procedural rights in environmental matters. Contrary to public perception, this convention is not exclusively a European instrument but is open to all States. It also can be a great resource for other stakeholders, most pertinently, local communities to ensure that their knowledge and experience, as well as their interests and rights, are taken into account in decisions around the environment and natural resources.

¹ The report of the Independent Expert on Human Rights and the Environment (John Knox) on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (UN reference no: A/HRC/22/43)

OBJECTIVES

- To explore the links between procedural rights and the prevention of destructive conflict around environmental matters including local communities' access to, and use of, natural resources.
- To share good practices for facilitating the exercise of procedural rights around natural resources.
- To highlight existing legal instruments that can play a useful role in facilitating the exercise of procedural rights, specifically the Aarhus Convention.

The side event will also launch QUNO's September 2013 paper 'Building Peace around water, land and food: Policy and practice for preventing conflict'. This paper draws together the international laws and guidelines from human rights and environment frameworks that provide for inclusive, participatory decision making around natural resource management. Available on the QUNO website [here](#).

Proposed panel:

- **Diane Hendrick** is the Representative on Peace & Disarmament at the Quaker UN Office and coordinates the work on Natural Resources, Conflict and Cooperation. She has a background in peace studies, development studies and conflict transformation. She has worked on international projects in Palestine, Albania, Sri Lanka and Indonesia.
- **Minelik Alemu Getahun** is the Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Ethiopia to the UN Office at Geneva, and other international organizations in Switzerland. Prior to his appointment, he was the Legal Advisor of the Ministry of Foreign Affairs of Ethiopia. He is a Member of the African Union Commission on International Law.
- **Andrea Iff** is the Head of the Business & Peace unit at swisspeace, the Swiss Peace Foundation. She acts as a consultant to companies on the implementation of conflict-sensitive due diligence in their operations and supports the Swiss Foreign Ministry in implementing Principle 7 (conflict) of the UN Guiding Principles on Business and Human Rights.
- **José Luis Balmaceda** is the Chilean Permanent Representative to the UN and other International Organizations in Geneva. Prior to this appointment, he was the Director of Environmental and Maritime Affairs, at the Ministry of Foreign Affairs of Chile and led the Chilean proposal at Rio+20 that resulted in the LAC Principle 10 Declaration signed at Rio+20, and was Chilean focal Point and President of the Presiding Officers of the Declaration.

Moderator:

- **Jonathan Woolley** is Director of the Quaker UN Office. He has a background in agricultural research, development & capacity building.