

Statement on the Environmental Rule of Law

Symposium on Environmental Rule of Law, 24 June 2014, Nairobi

On 21-22 June 2014, 95 participants took part in the Global Major Groups and Stakeholders Forum in Nairobi, Kenya, and considered among other matters the Environmental Rule of Law. Participants discussed aspects of environmental rule of law, including environmental democracy, the human rights and environment linkage, the role of judges, prosecutors, environmental public interest lawyers and other legal professionals, and multi-level environmental rule of law including compliance mechanisms on the international level. The Forum also took note of the fact that more than 900 environmental defenders have lost their lives over the last decade.

Participants acknowledged and supported UNEP's work in this area including GC decision 27/9 on "advancing justice, governance and law for environmental sustainability," and its series of Symposia on environmental rule of law. This is progress, but it is not enough. All Major Groups except Business and Industry joined in making the following statement.

We call upon UNEA to:

1. Strengthen the links between environment, sustainable development and the Rule of Law, particularly in the context of the SDGs.
2. Support UNEP's efforts to strengthen the judiciaries, prosecutors, and public interest environmental lawyers.
3. Encourage states to apply the Bali Guidelines on Rio Principle 10.
4. Request states to commit to protect and respect fundamental rights, particularly the right to a healthy environment, and should instruct UNEP to cooperate with the UN Human Rights Council.
5. Strengthen compliance mechanisms for multilateral environmental agreements, particularly the right of the public to bring forward communications.
6. Assist states to share experience and good practices on application of environmental rule of law on the national level, and increase dedication of resources to capacity building and enforcement.
7. Strengthen application of the "environmental Rule of Law" to business enterprises, through binding international legal instruments, to hold corporations accountable for their environmental and human rights violations, taking into account existing frameworks for cooperation.
8. Improve environmental governance in general, and especially access to information, public participation and access to justice, as essential to the Rule of Law.