

**Committee:** Human Rights Council (HRC)

**Topic:** Discussing the threats and attacks faced by environmental defenders in conflict zones

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### Topic Introduction

Environmental defenders are vulnerable to threats and attacks, which not only endanger their physical and mental well-being but also constitute a violation of international law under the Universal Declaration of Human Rights (UDHR). In fact, "between 2012 and 2022, at least 1,910 people advocating for environmental protection were killed worldwide".<sup>1</sup> This phenomenon is exacerbated in conflict zones. Latin America is an example of this with 79% of all attacks on environmental defenders in 2021 occurring in countries with high levels of conflict, namely Colombia and Brazil, where indigenous and local communities face significant threats from illegal mining and agribusiness activities.<sup>2 3</sup>

Attacks and threats faced by environmental defenders in conflict zones are mostly due to weak governance, corruption and political instability. Conflict often disturbs the region's legal, social, economic and governmental systems. In these regions, due to conflict, there is often a lack of access to justice and legal support with law enforcement and judicial systems often failing to hold perpetrators accountable. Thus, conflict zones strengthen the stance of the perpetrators, giving way to an increasing number of attacks and threats to environmental defenders. This phenomenon is mostly due to the weakened impunity and accountability that are prevalent in conflict zones.

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<sup>1</sup> "Close to 2,000 Environmental Activists Killed Over Last Decade." Yale E360, [e360.yale.edu/digest/environmental-defenders-murdered-2022#:~:text=Between%202012%20and%202022%2C%20at.a%20U.K.%2Dbased%20watchdog%20group](https://e360.yale.edu/digest/environmental-defenders-murdered-2022#:~:text=Between%202012%20and%202022%2C%20at.a%20U.K.%2Dbased%20watchdog%20group).

<sup>2</sup> Ashoka. (2022, April 7). More than half of activists killed in 2021 were land, environment defenders. Mongabay Environmental News. <https://news.mongabay.com/2022/04/more-than-half-of-activists-killed-in-2021-were-land-environment-defenders/>

<sup>3</sup> Abulu, L. (2023, May 5). Latin America had the most attacks on environmental defenders in 2022, says report. Mongabay Environmental News. <https://news.mongabay.com/2023/05/latin-america-had-the-most-attacks-on-environmental-defenders-in-2022-says-report/>



## Definition of key concepts

### Agribusiness

Agribusiness is defined as "the various businesses that are connected with producing, preparing, and selling farm products." <sup>4</sup>

### Environmental human rights defender

"Individuals and groups who strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna." <sup>5</sup>

### Environmental Rights

"Environmental Rights are the protection of natural resources; the access to and use of natural resources; and how the access to and use of these resources affects surrounding populations, as well as the resources themselves." <sup>6</sup>

### Extractivism

"Extractivism is the removal of large quantities of raw or natural materials, particularly for export with minimal processing." <sup>7</sup>

### Human Rights Abuse

"A human rights abuse is anything that harms someone's human rights. They include harm to people, communities, and the environment." <sup>8</sup>

### Smear Tactics

Smear tactics are defined as "actions designed to slander another person or organization in order to damage their reputation." <sup>9</sup>

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<sup>4</sup> *agribusiness*. (2024). [https://dictionary.cambridge.org/dictionary/english/agribusiness#google\\_vignette](https://dictionary.cambridge.org/dictionary/english/agribusiness#google_vignette)

<sup>5</sup> *Who are environmental defenders?* (n.d.). UNEP - UN Environment Programme. <https://www.unep.org/topics/environmental-law-and-governance/who-are-environmental-defenders>

<sup>6</sup> *Environmental rights*. (n.d.). <https://pachamama.org/environmental-rights>

<sup>7</sup> Acosta, Alberto (2013). "Extractivism and neo-extractivism: two sides of the same curse" (PDF). *Beyond Development: Alternative Visions from Latin America*.

<sup>8</sup> Canada, Global Affairs. "What Is a Human Rights Abuse?" GAC, 13 Oct. 2021, Canada, Global Affairs. "What Is a Human Rights Abuse?" GAC, 13 Oct. 2021, [core-ombuds.canada.ca/core\\_ombuds-ocre\\_ombuds/fact\\_sheet\\_6-fiche\\_descriptive\\_6.aspx?lang=eng](https://core-ombuds.canada.ca/core_ombuds-ocre_ombuds/fact_sheet_6-fiche_descriptive_6.aspx?lang=eng).

<sup>9</sup> SMEAR TACTICS definition and meaning | Collins English Dictionary. (2024). In Collins Dictionaries. [https://www.collinsdictionary.com/dictionary/english/smeat-tactics#google\\_vignette](https://www.collinsdictionary.com/dictionary/english/smeat-tactics#google_vignette)



## Background Information

### Causes of the threats and attacks faced by Environmental Defenders

Environmental Defenders often seek to voice their opinion about the current environmental situation, but they face threats and attacks. This is mostly based on numerous factors but is exacerbated in conflict zones. Firstly, many governments "fail in providing their core mandate of upholding and protecting human rights. They are failing to protect land and environmental defenders, in many cases directly perpetrating violence against them, and in others complicit with business."<sup>10</sup> Another contributor that must be held responsible is business, as many companies engage in practices that prioritize profit over human rights and environmental sustainability, often avoiding the consequences of their own actions, even when implicated in violence against environmental defenders. Then again, governments can be held accountable as they frequently fail to protect these defenders, sometimes even perpetrating or being complicit in the violence. Consequently, the perpetrators of these crimes rarely face justice, leaving the broader systems of power and profit unchecked and unchallenged.

### Types of Threats and Attacks

#### Physical Violence, Harassment and Assassinations

Environmental defenders face different types of threats and attacks. Firstly, the defenders of environmental rights are susceptible to physical violence, assassinations, intimidation and harassment. Threats and attacks of this type faced by environmental defenders have increased in the past years "in the context of widespread attacks on human rights defenders and community leaders across the country, despite the hopes of the 2016 peace agreement."<sup>11</sup> According to the Non-Governmental Organization (NGO) Global Witness, in 2022, at least 177 defenders lost their

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<sup>10</sup> *The industries causing the climate crisis and attacks against defenders* | Global Witness. (n.d.). Global Witness. <https://www.globalwitness.org/en/campaigns/environmental-activists/last-line-defence/>

<sup>11</sup> *The industries causing the climate crisis and attacks against defenders* | Global Witness. (n.d.). Global Witness. <https://www.globalwitness.org/en/campaigns/environmental-activists/last-line-defence/>



lives protecting the planet with the total number of killings to 1,910 since 2012. <sup>12</sup> "At least 1,390 of these killings took place between the adoption of the Paris Agreement on 12 December 2015 and 31 December 2022." <sup>13</sup> It is also worth mentioning that most victims of these threats and attacks are Indigenous peoples and Afro-descendants with 36% and 7% of the murdered defendants respectively. <sup>14</sup>

Most of these killings took place in South America with Colombia and Brazil being the countries with the most victims. However, it still is difficult to recognize the exact factors behind the murders or to connect killings to specific sectors. There are some sectors that seem connected with agribusiness being linked to 10 cases in 2022 and mining linked to 8 cases, followed by logging to 4. "All three industries are also major contributors to global carbon emissions."<sup>15</sup> This can also explain why businesses and governments are so closely involved with the situation of environmental defenders.

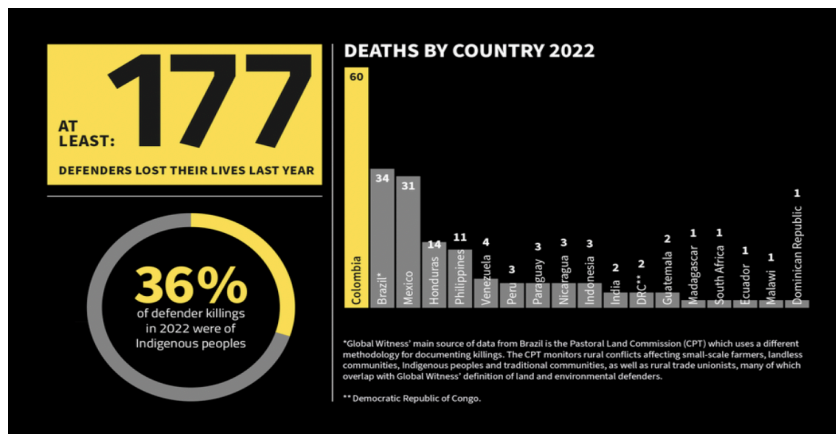


Figure 1: Deaths of environmental defenders by country in 2022<sup>16</sup>

### Criminalization and Legal Persecution

Another type of threats faced by environmental defenders, which has become more prevalent in recent years is criminalization and legal persecution. When environmental and land defenders in Latin America raise their concerns and express their opinions about extractivism, that is economic dependency on intensive primary resource extraction, "they become the targets of threats,

<sup>12</sup> Standing firm: The Land and Environmental Defenders on the frontlines of the climate crisis | Global Witness. (n.d.). Global Witness. <https://www.globalwitness.org/en/campaigns/environmental-activists/standing-firm/>

<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> Ibid

<sup>16</sup> Ibid

accusations, and smears that attempt to label and punish them as enemies of the state, opponents of development, delinquents, criminals, and terrorists."<sup>17</sup> This is mostly because their activism challenges economic interests and government policies that prioritize extractive industries over environmental protection and indigenous rights. Indeed, Latin American countries, Guatemala, Peru and Mexico, are examples of intensified criminalization, "where there has been little pause in neoliberal deregulation of the mining sector since the 1990s." <sup>18</sup>

### Digital Threats

A final type of attacks used as part of the continuum of violence against environmental defenders includes digital threats with disinformation, smear tactics, surveillance and death threats. The digital attacks that environmental defenders face is increasingly encouraged by technological advancements and cause more harm to the defenders themselves and their communities while discouraging the use of technology for activism and learning. Despite efforts to monitor technology-facilitated threats against environmental defenders, numerous challenges remain in terms of under-reporting, particularly in connection to the assaults faced by women. Many of the places where natural conflicts are more common are isolated and inaccessible regions. In these areas, documentation of cases is difficult as access to technological developments is more complex and difficult.

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<sup>17</sup> *Criminalization of land and environment defenders in the Americas - International Civil Liberties Monitoring Group*. (2017, February 28). International Civil Liberties Monitoring Group. <https://iclmg.ca/issues/in-the-national-interest-criminalization-of-land-and-environment-defenders-in-the-americas/>

<sup>18</sup> Ibid





Figure 2: Poster for digital intimidation against environmental defenders by Lien Stolle<sup>19</sup>

### Timeline of events

Date	Description of event
10 December 1948	The Universal Declaration of Human Rights was adopted.

<sup>19</sup> Stolle, L. (2023). *Digital intimidation against environmental defenders*. <https://biblio.ugent.be/publication/01HBWZADNXN39T32AHKI0SFQKS>

1998	The Declaration on Human Rights Defenders was adopted at the 53rd session of the UN General Assembly (GA). The Declaration also provided a definition for environmental defenders.
16 June 2011	The United Nations Human Rights Council (HRC) unanimously endorsed the United Nations Guiding Principles on Business and Human Rights. This framework constitutes the first corporate rights responsibility initiative to be endorsed by the UN. <sup>20</sup>
3 August 2016	Resolution A/71/281 at the 71st session of the UN General Assembly (GA) was adopted to promote and protect the human rights of all human rights defenders including environmental defenders with the overview of the situation of human rights defenders.
27 September 2018	The Escazu Agreement was adopted in Costa Rica.

## Major countries/ organizations and alliances

### Colombia

Colombia is considered the most dangerous country in the world for environmental defenders and those defending land rights for indigenous and other local community groups. This is because of the highest number of killings of environmental defenders in the country. Furthermore, there are issues of impunity concerning law enforcement as there are internal and political issues and successful prosecutions are rare.<sup>21</sup> This generally applies to some other countries in Latin America.

<sup>20</sup> Surya Deva, "Guiding Principles on Business and Human Rights: Implications for Companies", *European Company Law*, Vol. 9, No. 2, pp. 101–109, 2012; University of Oslo Faculty of Law Research Paper No. 2012-10, published 26 March 2012, accessed 3 July 2012

<sup>21</sup> Otis, J. (2023, December 6). Colombia is the most dangerous country in the world for environmental defenders. *NPR*. <https://www.npr.org/2023/12/06/1214170818/colombia-environmentalists-murders-latin-america>



## Democratic Republic of Congo (DRC)

In the eastern part of the Democratic Republic of Congo, there are 5 farmers who have been "sentenced to 20 years in jail, convicted of criminal conspiracy, arson and illegal occupation of lands located on the border of Virunga National Park. Their imprisonment illustrates the complex realities of protected areas, politics and land in the eastern DRC." <sup>22</sup> The case of the DRC is an example of how conflict affects environmental defenders, as DRC is in the midst of silent genocide with more than 738,000 people being displaced just from the start of 2024.<sup>23</sup>

## Environmental Defenders (ED)

The Environmental Defenders (ED) is an ecofeminist and collaborative natural justice organization that secures biodiversity and protects Indigenous People's rights. ED is devoted to building flexibility for human and natural security, making a difference for marginalized Indigenous people and communities to make a living and secure their water sources, land and the local environment. It is based in Uganda and strengthens the resilience of individuals and communities to resist environmental shocks.<sup>24</sup>

## Previous attempts to solve the issue

### Resolution A/71/281

Resolution A/71/281<sup>25</sup> was adopted by the General Assembly on August 3rd, 2016 in the 71st session of the General Assembly. This resolution constitutes the first step toward protecting the rights of all human rights defenders including environmental defenders as it considers the current situation of human rights defenders possibly giving way to helping and protecting environmental defenders and their rights, as it acknowledges the current threats they face and lays the groundwork for enhancing protections and support for their vital work.

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<sup>22</sup> Gyuse, T. (2023, November 17). 'We won't give up': DRC's Front Line Defenders award winner Olivier Ndoole Bahemuke. Mongabay Environmental News. <https://news.mongabay.com/2023/11/we-wont-give-up-drcs-front-line-defenders-award-winner-olivier-ndoole-bahemuke/>

<sup>23</sup> What's happening in the Democratic Republic of the Congo? | NRC. (n.d.). NRC. <https://www.nrc.no/perspectives/2024/whats-happening-in-the-democratic-republic-of-the-congo/>

<sup>24</sup> Watetezi. (2023, October 11). Home - Environmental Defenders. Environmental Defenders. <https://watetezi.org/>

<sup>25</sup> UN Resolution A/71/281. [documents.un.org/doc/undoc/gen/n16/247/09/pdf/n1624709.pdf?token=696r3sRGinJTLc2V1&fe=true](https://documents.un.org/doc/undoc/gen/n16/247/09/pdf/n1624709.pdf?token=696r3sRGinJTLc2V1&fe=true).





### Declaration on Human Rights Defenders

The Declaration on Human Rights Defenders was adopted by consensus by the General Assembly in 1998, on the fiftieth anniversary of the Universal Declaration of Human Rights, after 14 years of negotiations. It constitutes "a collective effort by a number of human rights non-governmental organizations"<sup>26</sup> with the declaration representing the strong commitment of the Member States to ensuring that human rights defenders, including environmental defenders, are respected and protected.

### United Nations Guiding Principles on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights, implemented in 2011, provides a comprehensive framework for businesses and states to avoid, address, and combat human rights abuses linked to business activities. These principles are important to this issue as threats and attacks faced by environmental defenders -especially in conflict zones- are closely related to businesses.

### Escazu Agreement

The Escazu Agreement was adopted in 2018 in Costa Rica. "The Escazu agreement is designed to protect biodiversity and environmental defenders in Latin America and the Caribbean"<sup>27</sup> by ensuring access to information, public participation, and justice in environmental matters.

### Possible solutions

#### Strengthening of international and national legal frameworks

The strengthening of the legal framework can prove beneficial to combat the issue of the attacks and threats faced by environmental defenders, especially in conflict zones, as the situation is exacerbated and there often are more breaches of international law and/or human rights violations. Legal frameworks would ensure the respect and protection of the rights of environmental defenders. This

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<sup>26</sup> OHCHR. (n.d.). *Declaration on human rights defenders*. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/declaration-human-rights-defenders>

<sup>27</sup> *What is the Escazu Agreement?* (2023, October 27). Human Rights Watch. <https://www.hrw.org/video-photos/video/2023/08/02/what-escazu-agreement>



should be implemented both on a national and international level to ensure better protection and respect of the rights of all human rights defenders including environmental defenders.

### International Advocacy and Diplomatic Pressure

International advocacy and diplomatic pressure constitute another solution that can be implemented. Global campaigns and diplomatic pressure can function as stepping stones to encourage governments, organizations and other bodies to take initiative and aid all human rights defenders financially, legally, etc. This can also be achieved through the collaboration of different organizations and UN bodies, such as the Human Rights Watch, the Global Witness and Environmental Defenders (ED) with the UN Human Rights Council (HRC), United Nations Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Environment Programme (UNEP).

### Corporate Responsibility and Accountability

A final solution could be corporate responsibility and accountability, which includes adherence to the UN Guiding Principles on Business and Human Rights. Adherence to these principles can promote conducting human rights due diligence and ensuring their operations do not harm environmental defenders. This solution could also include investor and/or consumer pressure to promote and ensure that the rights of environmental defenders are protected, as businesses would have to be more ethical and more vigilant when it comes to human rights defenders in the fear of losing investor and/or consumer support.

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