

Oral Statement to the 43rd session of the Human Rights Council

Item 3 – Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

Geneva – 2nd of March 2020

Thank you, Mr. Vice-President.

Dominicans for Justice and Peace welcomes the report of the Special Rapporteur, Mr. Boyd, and his highlighting of the good practices of many states. We would like to emphasise one procedural element without which all good intentions come to naught. This is access to justice and effective remedy.

While there is a growing development of regulatory frameworks, which is laudable, local victims and these regulations are rendered powerless when there are no adequate mechanisms on the ground to prevent and address corruption and facilitate access to justice.

As a concrete example, in Solomon Islands and Papua New Guinea, despite agreements signed with customary landowners limiting areas that can be logged based on environmental impact assessments, logging companies frequently, with impunity, allow water to be polluted and rendered undrinkable and do not clean up and restore at the end of their operations. This corruption at all levels too often prevents victims from accessing courts and obtaining remedy.

Therefore, we recommend states to develop effective mechanisms to combat corruption and thus enable access to justice and effective remedy for local populations. An initial step can be to assign at least two distinct government inspection and monitoring officials to each project.

Thank you, Mr. Vice-President.