



Economic Commission for Latin America and the Caribbean



The Escazú Agreement: Where are we now?

**Towards effective environmental governance:
Access to information, participation and justice**

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COVID-19 has deepened asymmetries: the environment as the underdog



Rethinking multilateralism



LAC Structural challenges



Triple environmental
crisis



Social dissatisfaction and
lack of public trust



2030 Agenda at stake

A REGION WITH AN EXTRAORDINARY BIODIVERSITY BUT HEAVILY THREATENED

Pre-pandemic

- 9/15 countries with **greatest loss of primary forests** (2000-2017) are in the region
- **31 areas with eutrophication and 19 dead zones**
- **25% of world's socio-environmental conflicts**
- **Environmental bodies with low budgets, weak or fragmented regulation**
- **Most dangerous region to defend the environment**

Pandemic

- **Greater use of natural resources for subsistence, food and energy**
- **Hike in illegal activities harming the environment**
- **Weakening of environmental laws and environmental impact assessment**
- **Significant decrease in environmental budget and staffing**
- **Growing attacks against defenders**



Hence, the importance of the Escazú Agreement

An institutional path to reshape our relations, encourage all stakeholders to become engaged in sustainable development and reinforce horizontal and vertical cooperation

Access to Information

- More and better information
- Transparency and evidence-based decisions

Public Participation

- Clear rules and framework for engagement
- Partnerships and consensus-building for sustainability
- Increased trust in decisions
- Social cohesion and conflict prevention

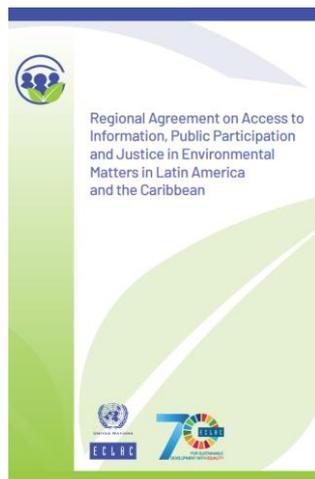
Access to justice

- Legal certainty framework
- Accountability
- Strengthened institutions
- Protect environmental defenders

Basic facts about the Escazú Agreement

Adopted on 4 March 2018

Entered into force on **22 April 2021**



- Only treaty stemming from the UN Rio+20 Conference
- **First regional environmental treaty** of Latin America and the Caribbean
- First treaty in the world with specific binding provisions on **environmental human rights defenders**
- **Innovative negotiation**

Open to the **33** LAC countries

24 signatories

15 Parties

Antigua and Barbuda, Argentina, Belize, Bolivia, Chile, Ecuador, Grenada, Guyana, Mexico, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Uruguay



What is the Escazú Agreement's objective?

Guarantee the full and effective **implementation** in Latin America and the Caribbean of environmental access rights **and** the creation and strengthening of capacities and cooperation



Information



Participation



Justice



Capacity-building
Cooperation



contributing to the protection of the right of every person of **present and future generations** to live in a healthy environment **and** to sustainable development.



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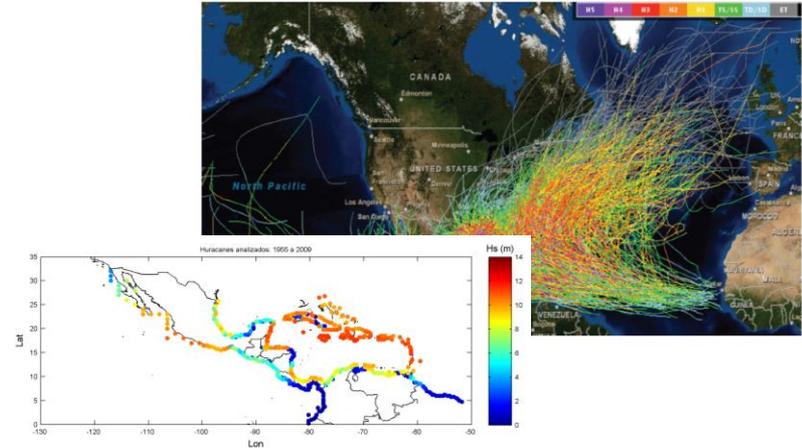
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Underlying basis of the Escazú Agreement



Environmental issues are best handled with the active participation of all concerned

Access to environmental information is critical for sound policy-making



Environmental harm must be prevented and remedied

Regional cooperation is key



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Salient features of the Escazú Agreement



- **Rights-based**
- **People-centered**
- **Leave no one behind**
- **Capacity-building and cooperation**
- **Protection of defenders**

Environmental dimension of sustainable development

Generation and access to environmental knowledge and information

Meaningful engagement of all sectors of society

Access to justice in environmental matters

Special consideration of Small Island Developing States

Implementation support

Progressive realization/non-regression



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Beneficiaries and principles

- ▶ **Nationals or subject to the national jurisdiction** (“the public”)
- ▶ **Persons or groups in vulnerable situations:** those that face particular difficulties in fully exercising access rights, because of circumstances or conditions in each context
- ▶ **Human rights defenders in environmental matters:** persons, groups and organizations that promote and defend human rights in environmental matters.

▶ Principles

- Equality and non-discrimination;
- Transparency and accountability;
- Non-regression and progressive realization;
- Good faith;
- Preventive principle;
- Precautionary principle;
- Intergenerational equity;
- Maximum disclosure;
- Permanent sovereignty of States over their natural resources;
- Sovereign equality of States; and
- Pro persona

The development/climate agendas and the Escazú Agreement

SUSTAINABLE DEVELOPMENT GOALS



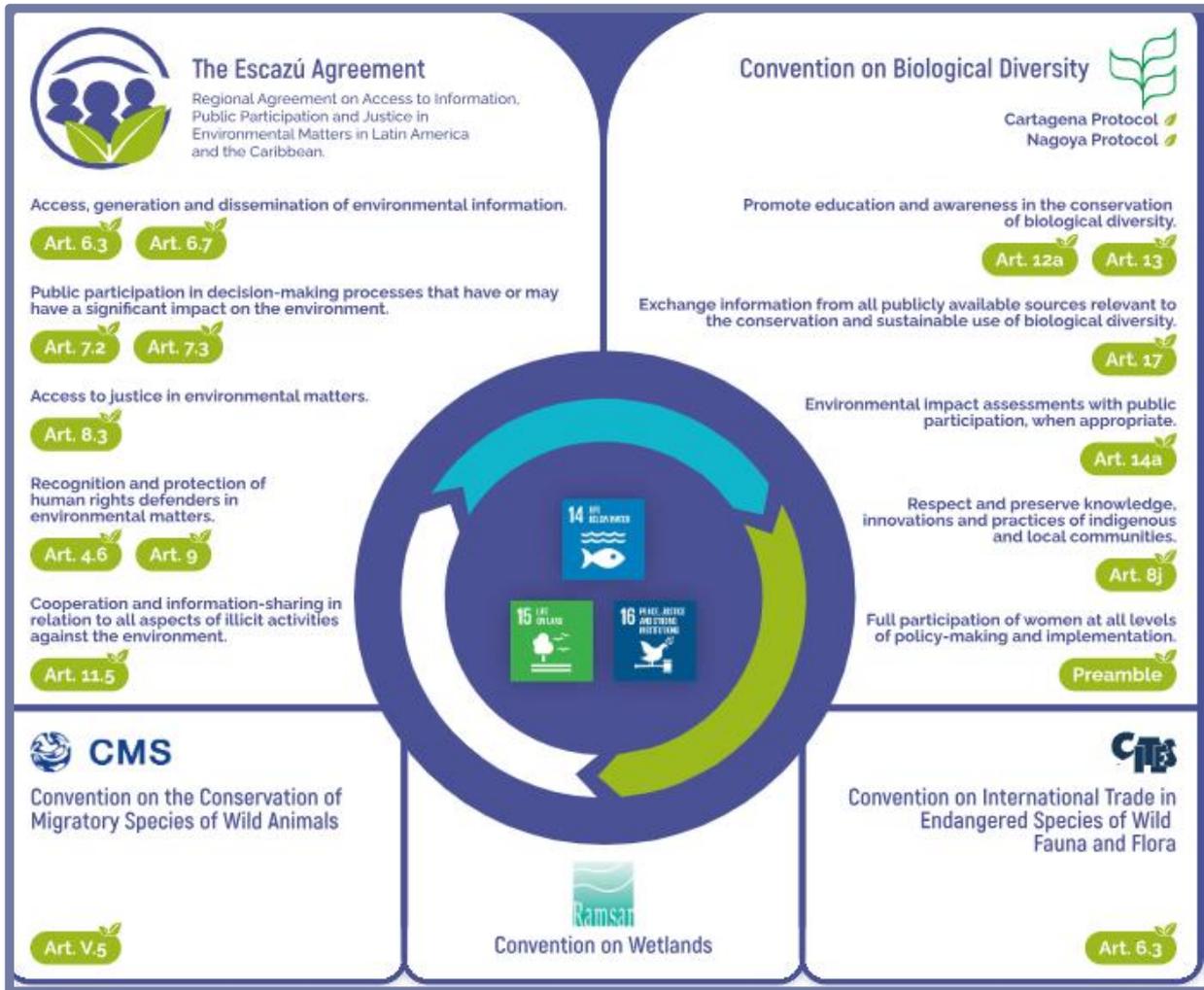
- Ensure equal access to justice
- Effective, accountable and transparent institutions
- Ensure inclusive, participatory and representative decision-making
- Ensure public access to information and protect fundamental freedoms
- Non-discriminatory law and policies for sustainable development





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The Escazú Agreement and biological diversity



Kunming-Montreal Global Biodiversity Framework

Goal 21

Goal 22



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Global and regional recognition



Responsible business conduct



Working group on business and human rights



ECOSOC and UNGA



European Parliament resolution, 19 May 2021

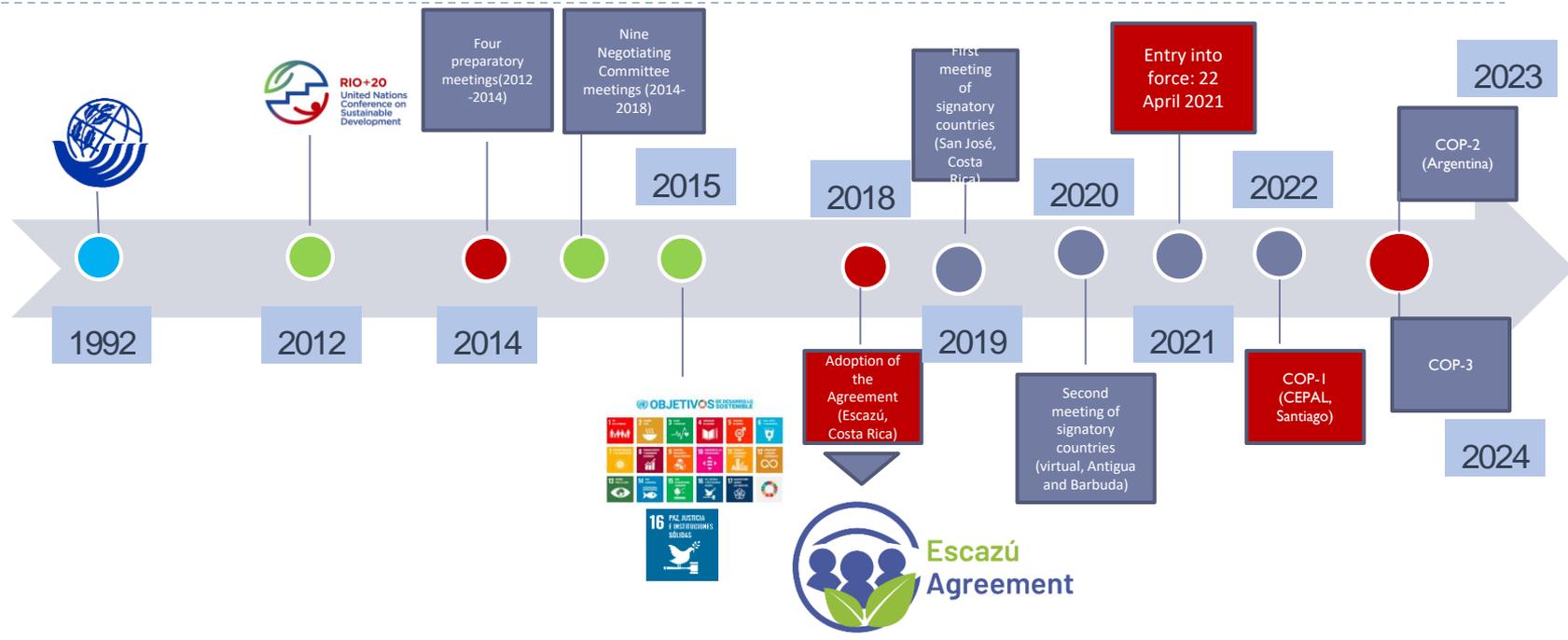


Inter-American Development Bank



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From Río to Escazú





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COP-1 Results



Political Declaration

Decisions	Title
I/1	Rules of procedure of the Conference of the Parties
I/2	Election of Presiding Officers
I/3	Rules relating to the structure and functions of the Committee to Support Implementation and Compliance
I/4	Financial arrangements
I/5	Subsequent meetings of the Conference of the Parties
I/6	Human rights defenders in environmental matters

COP-2 Results

Buenos Aires Declaration

Decision	Title
II/I	Election of members of the Committee to Support Implementation and Compliance

First members of the Committee to Support Implementation and Compliance



Guillermo Acuña
from Chile



Mariana Blengio
from Uruguay



Rita Joseph-Olivetti
from Grenada



Patricia Madrigal
from Costa Rica



Andrés Napoli
from Argentina



Carole Stephens
from Jamaica



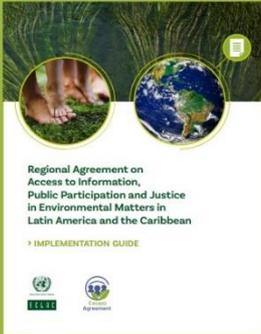
Félix Wing
from Panama



NEW PARTIES



PROGRESS ON NATIONAL IMPLEMENTATION PLANS

Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean

> IMPLEMENTATION GUIDE



Download digital version





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Human rights defenders in environmental matters

Open-ended ad hoc working group on human rights defenders in environmental matters

- Group and coordination meetings
- Annotated index of the Action Plan (public consultation)
- Action Plan to be presented at COP 3



Annual forum on human rights defenders in environmental matters

- First forum in Quito, 22-23 Nov. 2022
- 222 participants (in person and virtual); 201 proposals from 10 breakout groups
- Report of the first forum
- Second forum in Panama, 26-28 Sept. 2023





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ECLAC Observatory on Principle 10

Observatorio del Principio 10 en América Latina y el Caribe

Centro de intercambio de información de leyes, políticas, jurisprudencia y tratados que garantizan los derechos de las personas a la información, la participación y la justicia en asuntos ambientales, consagrados en el Principio 10 de la Declaración de Río y el Acuerdo de Escazú.

Categoría	Valor
Información	24
Participación	76%
Justicia	20
Personas defensoras	6

- ✓ Treaties
- ✓ Laws
- ✓ Policy instruments
- ✓ Case law
- ✓ Resources
- ✓ Publications

★ Destacados

Se adopta el Acuerdo relativo a la conservación y el uso sostenible de la diversidad biológica marina de las zonas situadas fuera de la jurisdicción nacional

Noticia 19/06/2023

América Latina y el Caribe: Países que cuentan con ley sobre cambio climático

Mapa 20/06/2022

Temas

BIODIVERSIDAD	CAMBIO CLIMÁTICO	CERTIFICACIÓN	CIUDADES
EDUCACIÓN AMBIENTAL	ENERGÍA	EVALUACIÓN AMBIENTAL	GÉNERO
INEQUIDAD	PERSONAS DEFENSORAS	PUEBLOS INDÍGENAS	REGISTRO DE EMISIONES

<https://observatoriop10.cepal.org/en>



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How can parliamentarians contribute to the strengthening of environmental democracy?

Ratification of or accession to the Escazú Agreement

National implementation of the Escazú Agreement

Regional cooperation





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**COVID-19
RESPONSE**



“The region has a valuable tool to seek people-centred solutions grounded in nature”: **the Escazú Agreement.**

By enhancing access to data, knowledge, and information, and by engaging vulnerable groups, **it upholds fundamental values of democratic life and fosters responsive public policies.**

When the agreement enters into force and is implemented, countries will be **better placed to preserve their strategic natural heritage through more inclusive and community-oriented actions**



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Secretariat – Escazú Agreement
Sustainable Development and Human Settlements Division
United Nations, ECLAC

<http://www.cepal.org/en/escazuagreement>

<http://observatoriop10.cepal.org>