



# 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

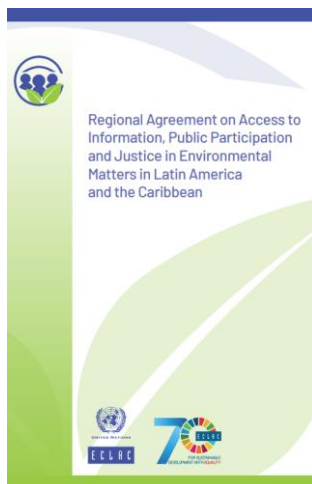
## **Access to justice**

- 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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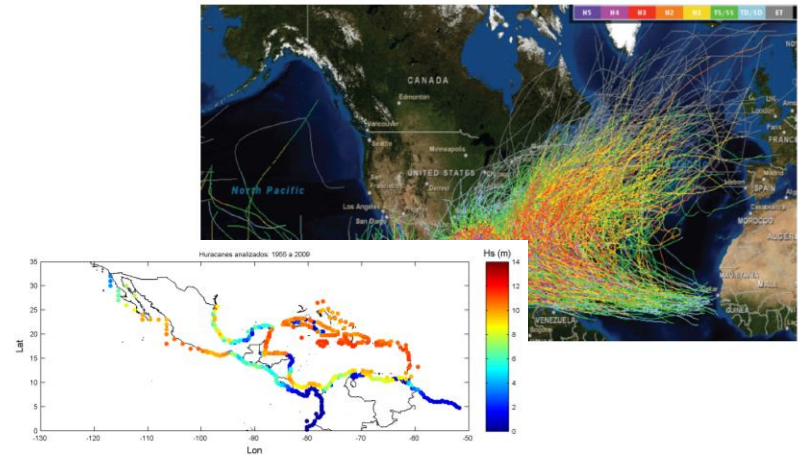
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# Underlying basis of the Escazú Agreement



**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**



# 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

# 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

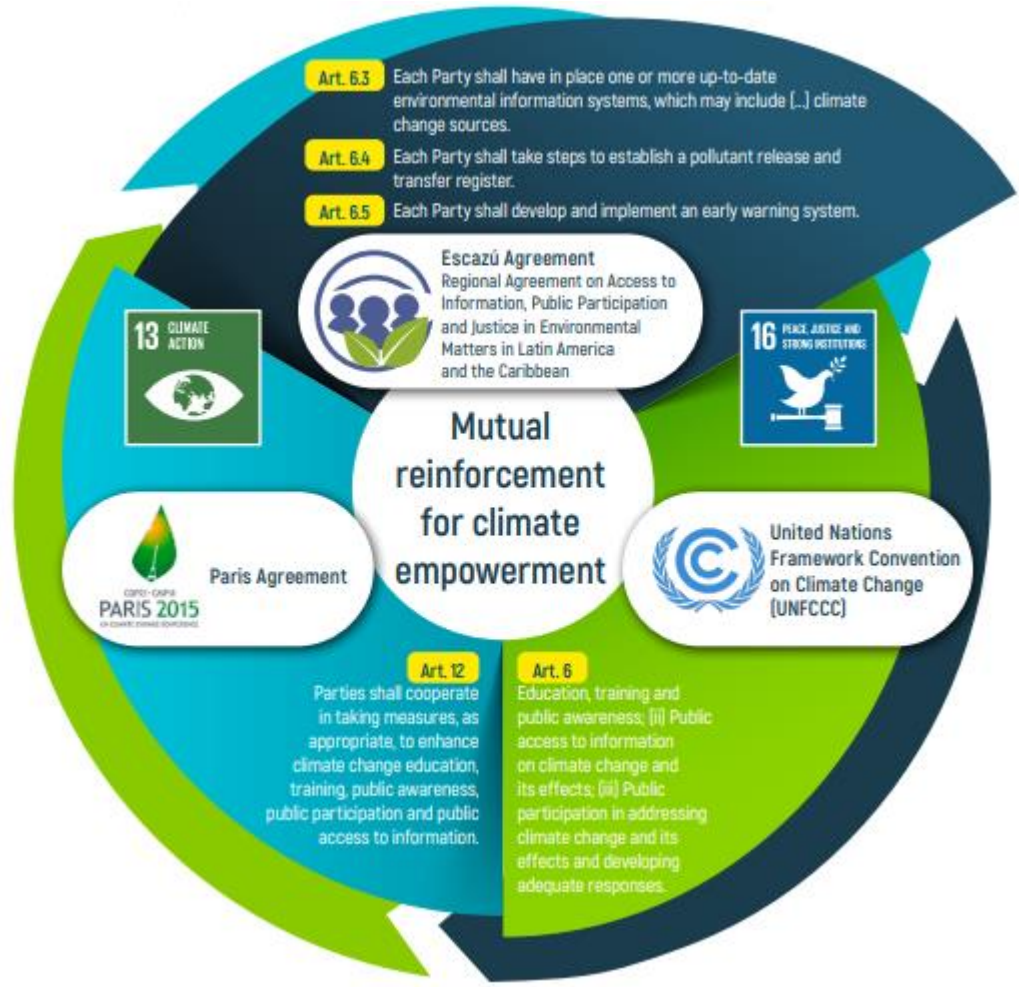


# The development/climate agendas and the Escazú Agreement

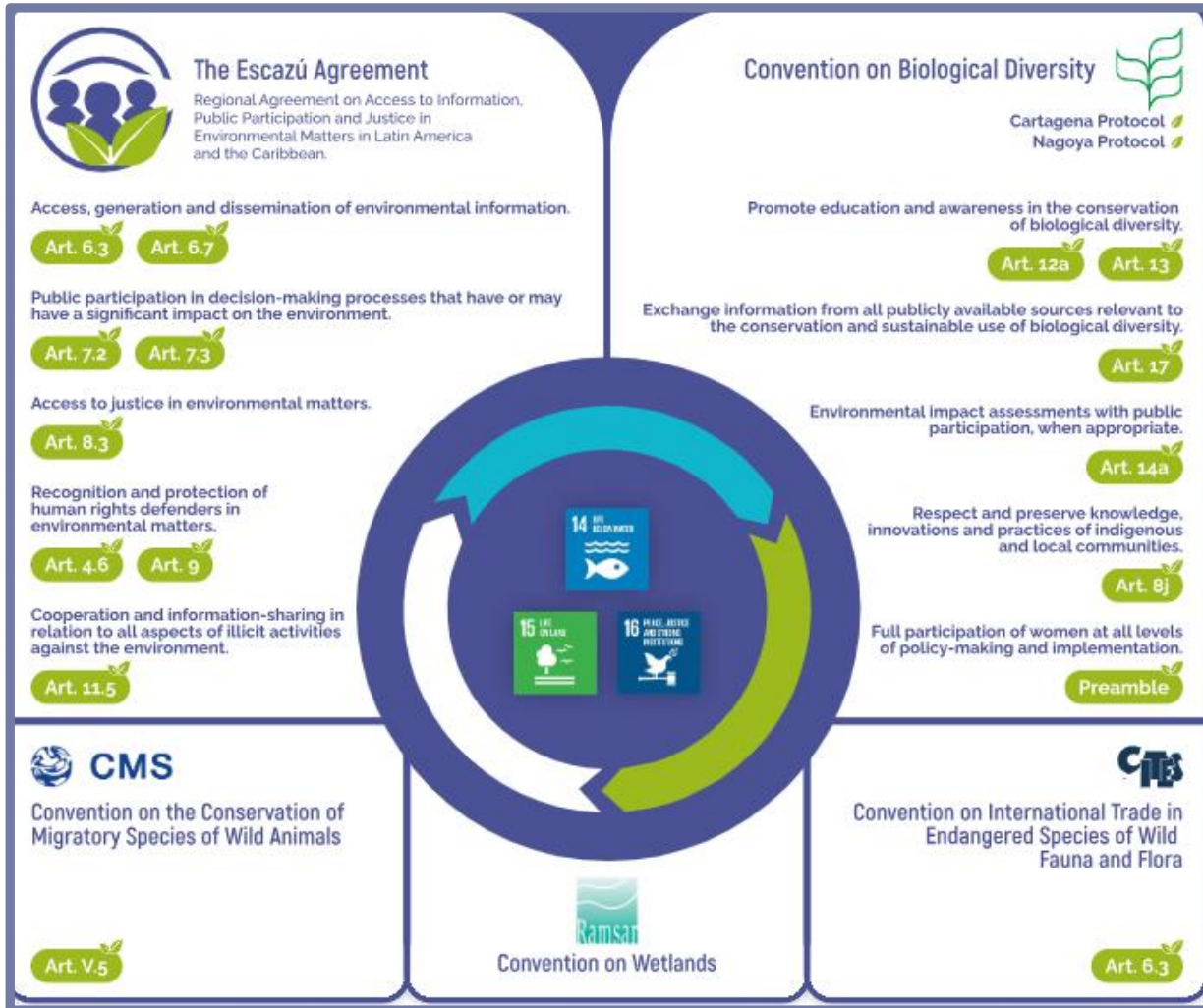
## SUSTAINABLE DEVELOPMENT GOALS



- 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



# 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**



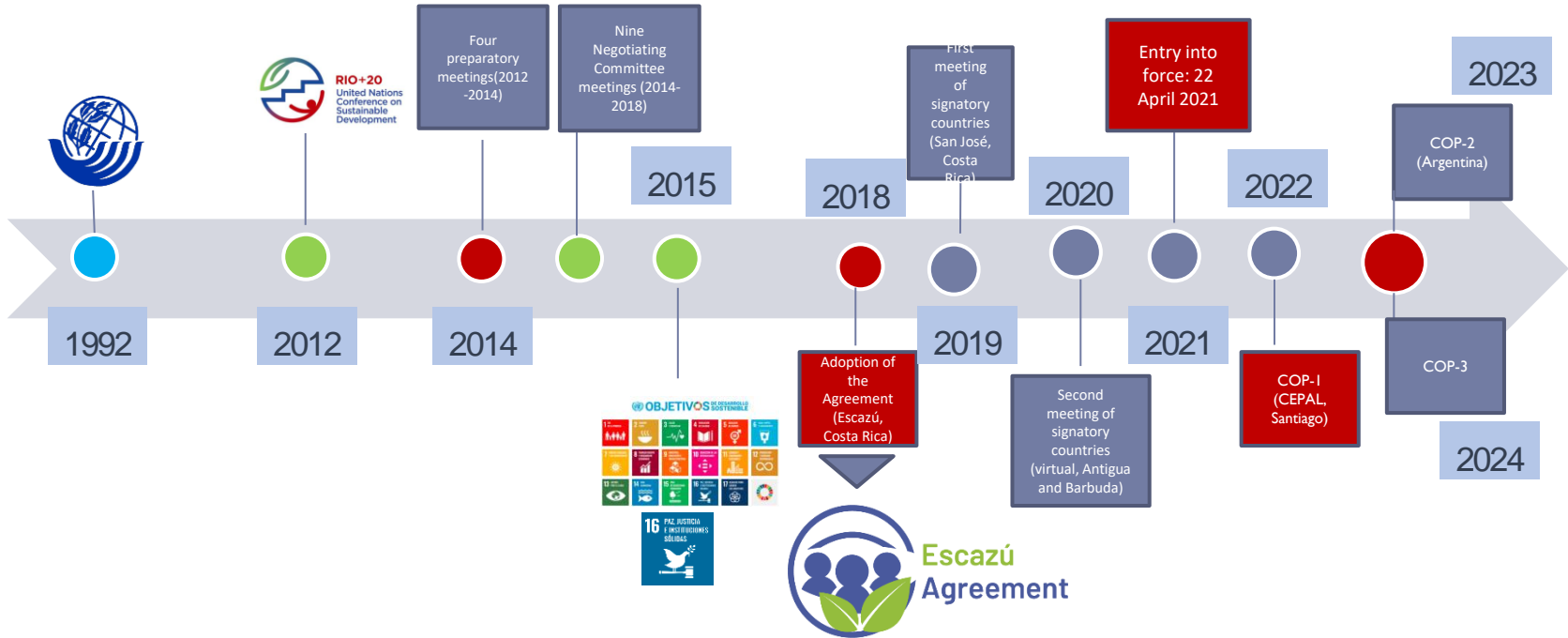
**Inter-American Development Bank**





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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

**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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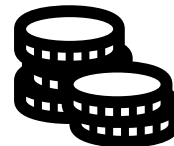
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# How can parliamentarians contribute to the strengthening of environmental democracy?

Ratification of or accession to the Escazú Agreement

National implementation of the Escazú Agreement

Regional cooperation





**United Nations**



**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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Sustainable Development and Human Settlements Division  
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<http://www.cepal.org/en/escazuagreement>

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