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 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.
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
The Escazú Agreement and biological diversity

Kunming-Montreal Global Biodiversity Framework

Goal 21

Goal 22
Global and regional recognition

 Responsible business conduct

 Working group on business and human rights

 European Parliament resolution, 19 May 2021

 ECOSOC and UNGA

 Inter-American Development Bank

 OCDE

 United Nations Human Rights

 GRUPO BANCO MUNDIAL
From Río to Escazú

Four preparatory meetings (2012-2014)

Nine Negotiating Committee meetings (2014-2018)

First meeting of signatory countries (San José, Costa Rica)

Adoption of the Agreement (Escazú, Costa Rica)

Second meeting of signatory countries (virtual, Antigua and Barbuda)

Entry into force: 22 April 2021

First meeting of signatory countries (virtual, Antigua and Barbuda)

Second meeting of signatory countries (virtual, Antigua and Barbuda)

COP-1 (CEPAL, Santiago)

COP-2 (Argentina)

COP-3

Entry into force: 22 April 2021

2012

2014

2015

2018

2020

2021

2022

2023

2024
**COP-1 Results**

**Political Declaration**

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COP-2 Results

**Buenos Aires Declaration**

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**NEW PARTIES**

- Guatemala
- Ecuador
- Costa Rica

**PROGRESS ON NATIONAL IMPLEMENTATION PLANS**

- Argentina
- Brazil
- Chile
- Colombia
- Mexico
- Uruguay

**First members of the Committee to Support Implementation and Compliance**

- Guillermo Acuña from Chile
- Mariana Bengio from Uruguay
- Rita Joseph-Olivetti from Brazil
- Patricia Madrigal from Costa Rica
- Andrés Napoli from Argentina
- Carole Stephens from Jamaica
- Félix Wing from Panama

[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean](#)
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
ECLAC Observatory on Principle 10

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

https://observatoriop10.cepal.org/en
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
By enhancing access to data, knowledge, and information, and by engaging vulnerable groups, it embodies 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.
Secretariat – Escazú Agreement
Sustainable Development and Human Settlements Division
United Nations, ECLAC

http://www.cepal.org/en/escazuagreement
http://observatorioriop10.cepal.org