



The Escazú Agreement: An Opportunity to Advance Regional and Global Peace through a Human Rights-Based Approach

Summary Note

On the 14th of July 2021, an informal roundtable discussion on ‘The Escazú Agreement: An Opportunity to Advance Global Peace through a Human Rights-Based Approach’ took place online during the High-level Political Forum on Sustainable Development (HLPF). The event brought together a diverse range of representatives of the United Nations, Member States and civil society. The discussion took stock of the realisation of the Sustainable Development Goals (SDGs) in Latin America and the Caribbean (LAC), and reflections were shared on the opportunities presented by the Escazú Agreement to further advance LAC governments’ commitments to SDGs, focusing on SDG13 on climate action and SDG 16 on peaceful, just and inclusive societies.

The Escazú Agreement, or the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, adopted on March 4, 2018, can foster sustainable development as it encourages accountability, transparency and good governance while promoting economic development without the depletion or extraction of natural resources¹. The value of the Agreement extends beyond SDG13 on climate action and helps strengthen governance, inclusion and access to justice. It is particularly important in this region, where natural resource exploitation goes hand in hand with pervasive inequalities and violence by armed groups and other non-state actors, including attacks on environmental defenders. The Escazú Agreement provides a path to implement and advance the 2030 Agenda and ensure sustaining peace by advancing state accountability, strengthening democracy, protecting human rights and ensuring the right to live in a healthy and sustainable environment.

¹ ECLAC, 2018, Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement): https://repositorio.cepal.org/bitstream/handle/11362/43583/1/S1800428_en.pdf

As an example, key challenges faced by Mexico were analyzed during the 14 July discussion to demonstrate the importance of linking the implementation of the Escazú Agreement and the broader 2030 Agenda, for instance through meaningful participation and independent assessment by civil society². Although Mexico has developed promising policy programs and national strategies to combat climate change, significant design flaws and gaps remain. One of these programs is the *Sembrando Vida* ("Planting the Seeds of Life") program, which has been presented as the most ambitious program to date for sustainable use of fruit and timber trees and for the sustainable promotion of Mexico's tree coverage. However, *Sembrando Vida* has actually incentivised recipients to indiscriminately clear and cut trees and to then plant new species instead. In the long term, this approach negatively impacts Mexico's national capacity to sequester carbon emissions.

Several organizations have documented widespread violence against indigenous peoples and the environmental and human rights defenders promoting peace within local communities all across Mexico. In the Chiapas region, for instance, indigenous activists have been murdered for their attempt to address the power of armed groups within communities, where government authorities often have limited access³. In 2021 alone, in the municipality of Pantelhó, 12 people have been murdered and the whereabouts of one person are unknown,⁴ yet national institutions have not been effective in addressing this violence. Local authorities in Chiapas are aware of the increase in violence and the presence of armed groups, but the Chiapas State Prosecutor's Office has not carried out credible investigations or brought justice to the victims of this violence. This problem is not unique to Mexico. In the Amazon basin, environmental defenders -- many of them women, indigenous and/or quilombola, or Afro-descending people -- are threatened, attacked and assassinated in record numbers as environmental crimes spread through the region. Faced with land invaders, illegal miners and illegal loggers, local communities and leaderships enjoy little protection against the encroaching violence.

Another challenge, in the case of Mexico, is presented by the privatization of environmental programs and increased influence of the private sector in the economy, which has caused disruptions to the progress of the SDGs. This comes despite the fact multiple reports by the UN and civil society state there is evidence such public-private alliances increase inequalities and poverty, and enable more human rights violations of different population groups. Austerity measures have cut funding allocated to the environmental sector and the institutions in charge of designing and implementing sustainable actions. This goes hand in hand with the Mexican government's mis-prioritisation of action on the implementation of policies that support SDG 13.

² CCC Mexico & GPPAC, 2021, Monitoring The Progress of the Implementation of SDG 13 in Mexico 2018-2021: https://gppac.net/files/2021-07/Executive%20Summary%20SDG%2013%20Review_%20Translation%20into%20English_0.pdf

³ GPPAC, 2021, GPPAC calls for prevention and accountability for crimes against indigenous peoples in Mexico: <https://gppac.net/news/gppac-calls-prevention-and-accountability-crimes-against-indigenous-peoples-mexico>

⁴ GPPAC, 2021, GPPAC calls for prevention and accountability for crimes against indigenous peoples in Mexico: <https://gppac.net/news/gppac-calls-prevention-and-accountability-crimes-against-indigenous-peoples-mexico>

Currently, the economic development policy is largely supported by the extraction and use of hydrocarbons which contributes to greenhouse gases and the depletion of the ozone layer.

With the entry into force of the Escazú Agreement, in April 2021, a new opportunity to advance sustaining peace and development in LAC has emerged. When countries ratify The Escazú Agreement they help eliminate various triggers of conflict and build sustainable peace by building citizen participation, ensuring meaningful interaction with diverse local communities, integrating local solutions for more impactful results, strengthening social cohesion and community resilience. With the support of relevant regional and international partners, governments must work hand in hand with civil society and indigenous communities to ensure that the Agreement provides more stability and resilience. In doing so, parties to the Escazú Agreement can set an example for other countries throughout LAC and globally to follow.

It becomes, however, unclear to what extent the governments in LAC are prepared to act on the Escazú Agreement and relevant priorities under the SDGs. During the discussion, the participants highlighted the following priorities for action on environment and peace:

- **The participation of local communities is crucial in achieving Agenda 2030 and the implementation of the Escazú Agreement.** Citizen participation is at the core of the rights developed in both the Escazú Agreement and the 2030 Agenda. Governments must have clearly developed national strategies which are designed and implemented with the consultation of civil society organisations. In this, community actors must also strive to collaborate among themselves and national, regional and global stakeholders, in tracking both advances and gaps of the 2030 Agenda to inform decision-making based on the field data. Civil society can also help raise awareness of the opportunities offered by both frameworks and support building capacities to support the implementation of the Escazú Agreement and the 2030 Agenda commitments to advance broader social buy-in.
- **National governments need to ratify and adequately and timely implement the Escazú Agreement and maximize linkages to the Agenda 2030.** This would be an opportunity to go beyond narrowly focused approaches focused on mitigation and adaptation to climate change. Adequate funding, political prioritization, and an inclusive approach are required to sustain peace and advance sustainable development ahead of 2030. Governments should implement clearly defined environmental programs in consultative, inclusive, and scientifically informed manner supported by institutionalised commitments that can withstand changes in administration. Therefore, an emphasis on prevention should be incorporated into design planning and implementation. Countries throughout the LAC region must support funding structures which

enable adequate and flexible mechanisms which finance their environmental policies, support the environmental sector, and revitalize their national environmental ambitions. Regional cooperation could be a way to ensure that capacities individually missing in specific countries can be adequately supported both financially and through relevant critical expertise.

- **Open and effective processes of access to justice create incentives for implementation of global and regional policy commitments.** National governments throughout LAC must eliminate all barriers to accessing justice to those in vulnerable situations, particularly indigenous communities. Subnational governments and institutions should also contribute towards this process. The records of violation will then create a reflection on the real situation within communities, encouraging learning and improving practical action.
- **Access to information across sectors and institutions is critical to achieve inclusivity.** Where there is no access or limited access to formal lines of communication and engagement, governments must strengthen these channels between executive levels of government, ministries of foreign affairs and civil society organizations. Formal lines of communication must also be made accessible to all citizens including indigenous groups and youth. Governments need to support the reliable, transparent, and quality collection of data, as well as promote the dissemination of information widely, including to places that are traditionally hard to reach. With the participation of civil society organizations, channels as varied as government websites, official documents, social media, radio, and television can be mobilized to disseminate data and information.
- **Human rights defenders and local peacebuilders safely exercise their functions within a national constitutional framework.** These functions need to be adequately supported by the appropriate legislative and regulatory texts and enforcement mechanisms. In so doing, governments allow citizens to defend these topics in a safe and secure way without fear of being persecuted or attacked. Within this framework, governments must enable and support more people-centered environmental decision-making and action.