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THE ESCAZÚ CONVENTION: A HISTORIC STEP FORWARD FOR ENVIRONMENTAL RIGHTS IN LATIN AMERICA AND THE CARIBBEAN

THE CHALLENGE | Violence against environmental defenders is on the rise. In 2017, Global Witness reported almost four environmental defenders were killed each week for protecting their land, forests, waterways and wildlife. Plagued by increasingly deadly conflicts over natural resources, Latin America is the most dangerous region in the world for those who stand up to protect their environments, with more than 60 percent of defender deaths in 2016 occurring across its remote villages or deep within its rainforests. In the Caribbean, threats against activists are also intensifying.

THE ESCAZÚ CONVENTION | On March 4, 2018 after a six-year negotiation process, 24 countries adopted the Escazú Convention, the region's first ever legally binding treaty on environmental rights. Also known as the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters, the landmark accord is designed not only to protect environmental defenders, but also to make it easier for nearly 500 million people to get information, participate in the decision-making processes that will affect their lives and hold powerful interests to account.

GROUNDBREAKING PROVISIONS

The Convention requires governments to adopt a new set of standards to safeguard environmental rights and realize Principle 10 of the Rio Declaration. Some of its strongest legally binding provisions focus on:

- **Protecting environmental defenders.** The Convention is the first international agreement that specifically uses the term environmental human rights defenders, guaranteeing the protection of their rights. It requires governments to take measures to prevent, investigate and punish threats and attacks against these community leaders.
- **Reducing barriers that undermine vulnerable communities' ability to exercise their environmental rights.** For the first time in international law, the Convention requires governments to ensure that vulnerable populations, like Indigenous Peoples or poor communities, can exercise their full rights to information, participation and justice. Actions governments must take range from providing free legal assistance to creating more accessible communication channels between affected communities and political officials.
- **Strengthening public participation in environmental decision-making.** Under the Agreement, governments must guarantee opportunities for public participation in projects that will significantly impact the environment. They must involve the public early on in the decision-making process, and after a decision has been made, they must inform citizens of how their input shaped the final outcome.



PHOTO: TAMBAKO THE JAGUAR

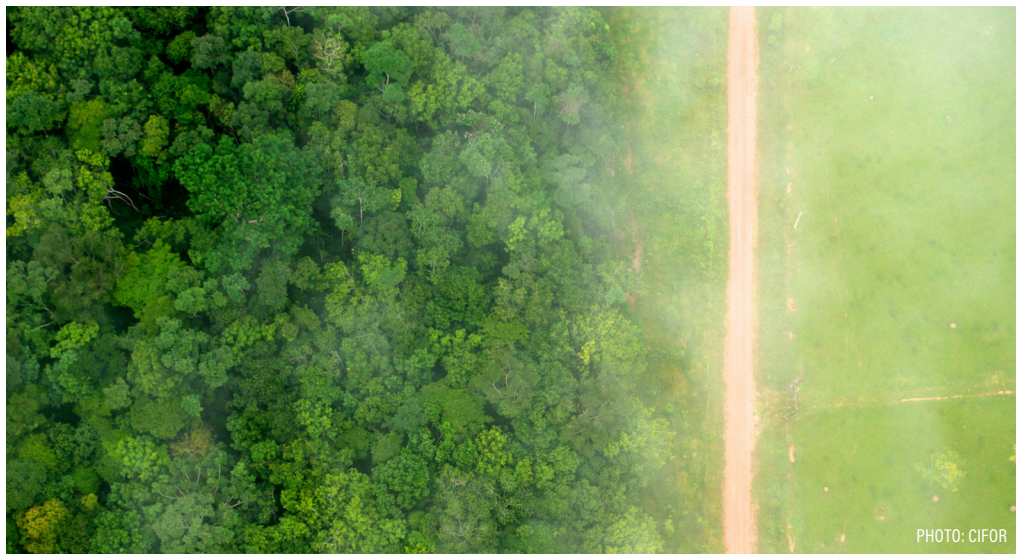


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ANTICIPATED IMPACTS

The Convention represents a major step forward for Latin America and the Caribbean, demonstrating global leadership from the region. Protecting communities' environmental and human rights will not only help reduce violence against defenders and natural resource conflicts, but these safeguards will also help prevent environmental degradation. Greater transparency, for instance, would arm citizens with the information they need to understand where deforestation is happening and advocate for harsher penalties for illegal logging. Meanwhile, stronger accountability mechanisms would allow communities to take mining companies to court for dumping toxic waste in the rivers that sustain their livelihoods.

THE WAY FORWARD

The Convention will open for signature in September 2018 at the United Nations General Assembly; signatories must then ratify the Convention, which will enter into force when 11 countries have ratified it. Governments and civil society must come together now to build momentum for ratification. Once countries ratify the Convention, governments must commit to swift and accountable implementation, working with civil society to establish new policies and procedures. Success in realizing the Agreement's provisions will depend not only on citizens' active participation in subsequent decision-making processes, but also on civil society's ability to act as watchdog and monitor governments' progress.

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“Colombia is the second most biodiversity-rich country in the world, but at the same time, it has one of the highest rates of socio-environmental conflicts and murders of environmental defenders in the world. In 2016, 37 environmental defenders were assassinated, according to Global Witness. The Agreement is a much-needed tool to protect biodiversity and all those who defend the environment in Colombia.”

Natalia Gómez Peña, *Researcher, Environmental Democracy Programme, Asociación Ambiente y Sociedad and Elected Representative of the Public, LAC P10 Negotiations, Colombia*



THE ACCESS INITIATIVE

The Access Initiative (TAI), the world's largest civil society network dedicated to ensuring

that citizens have the right and ability to influence decisions about the natural resources that sustain their communities, played an instrumental role in negotiating the Convention. In 2012, TAI launched a campaign to encourage Latin American and Caribbean governments to develop a regional treaty on environmental rights, and in June of that same year, 10 countries issued a declaration that laid the foundation for the Convention's negotiations. Over the next six years, TAI partners acted as elected representatives of the public and successfully supported a thematic focus on environmental defenders. WRI serves as the Secretariat of TAI.