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**REPORT OF THE REGIONAL WORKSHOP ON PROGRESS AND CHALLENGES IN THE
IMPLEMENTATION OF THE ESCAZÚ AGREEMENT IN LATIN AMERICA AND
THE CARIBBEAN: TOWARDS AN EARLY ENTRY INTO FORCE**

Santiago, 25 April 2019

CONTENTS

	<i>Paragraph</i>	<i>Page</i>
A. ATTENDANCE AND ORGANIZATION OF WORK	1-5	3
Place and date of the meeting	1-2	3
Attendance.....	3-5	3
B. SUMMARY OF PROCEEDINGS	6-59	4
Annex A List of participants	-	14

A. ATTENDANCE AND ORGANIZATION OF WORK

Place and date of the meeting

1. The “Regional workshop on progress and challenges in the implementation of the Escazú Agreement in Latin America and the Caribbean: towards an early entry into force” was held at ECLAC headquarters in Santiago on 25 April 2019, in the framework of the Forum of the Countries of Latin America and the Caribbean on Sustainable Development.
2. The meeting was organized by the Government of Costa Rica and the Economic Commission for Latin America and the Caribbean (ECLAC), in its capacity as Technical Secretariat of the Escazú Agreement.

Attendance¹

3. The meeting was attended by representatives of 16 countries of Latin America and the Caribbean: Antigua and Barbuda, the Bahamas, Argentina, Bolivia (Plurinational State of), Costa Rica, the Dominican Republic, Ecuador, Guatemala, Guyana, Haiti, Mexico, Panama, Paraguay, Peru, Saint Lucia and Uruguay.
4. The Special Envoy of the Secretary-General for the 2019 Climate Summit and representatives of the Government of France, the Aarhus Convention of the United Nations Economic Commission for Europe (UNECE), the United Nations Environment Programme (UN Environment), the Office of the High Commissioner for Human Rights (OHCHR), the European Investment Bank, the CAF-Development Bank of Latin America (CAF), the Secretariat of the Caribbean Community (CARICOM), the Academy of Law of the Caribbean Court of Justice (CCJ Academy of Law), the Commonwealth Secretariat and the Andean Parliament were also in attendance.
5. Also attending were elected representatives of the public and members of the public.

B. SUMMARY OF PROCEEDINGS

6. At the opening session statements were made by Alicia Bárcena, Executive Secretary of ECLAC; Norman Lizano, Head of Multilateral Affairs of the General Directorate of Foreign Policy of the Ministry of Foreign Affairs and Worship of Costa Rica; Sergio Bergman, Secretary of Environment and Sustainable Development of Argentina; Gale T.C. Rigobert, Minister of Education, Innovation, Gender Relations and Sustainable Development of Saint Lucia; Luis Alfonso de Alba, Special Envoy of the Secretary-General for the 2019 Climate Summit; and Andrea Sanhueza, elected representative of the public in the Escazú Agreement.
7. After welcoming participants, the Executive Secretary of ECLAC underscored that 2019 was of particular importance to multilateralism for sustainable development and for access rights in environmental matters. The Third Forum of the Countries of Latin America and the Caribbean on Sustainable Development was being held; a multi-stakeholder platform where the countries of the region renewed their commitment and leadership with regard to the 2030 Agenda and its Sustainable Development Goals.

¹ See the list of participants in annex A.

Furthermore, the United Nations High-level Political Forum will be held in July in New York and will review for the first time SDGs 13 (climate action) and 16 (peace, justice and strong institutions). In New York in September, other events of great relevance will be held: the Sustainable Development Goals Summit at the Heads of State and Heads of Government level, the Climate Summit and the Review of the SAMOA Pathway for Small Island Developing States. As a result, the Escazú Agreement gained even greater relevance as a catalyst for the 2030 Agenda and climate action. The Executive Secretary congratulated Guyana for being the first country of the region to ratify the Escazú Agreement and recalled that 16 countries have already signed it and many others were in the process of signing and ratifying it. She welcomed the important support given by the region to the first environmental treaty of Latin America and the Caribbean and reiterated the strong commitment of ECLAC with the same.

8. The Head of Multilateral Affairs of the General Directorate of Foreign Policy of the Ministry of Foreign Affairs and Worship of Costa Rica stated that the Escazú Agreement represented a milestone for environmental democracy. It had been adopted in his country on 4 March 2018 and opened to the signature at the United Nations General Assembly on 27 September 2018. He recalled the strong linkages between the environment and human rights strengthened by the Escazú Agreement as well as the crystallization of fundamental procedural rights for the achievement of the sustainable development agendas such as the 2030 Agenda, the Paris Agreement and the implementation of other Multilateral Environmental Agreements. He stressed the firm commitment of Costa Rica with the early entry into force and full and effective implementation of the Escazú Agreement. He concluded by offering to host the first meeting of the signatory countries in Costa Rica.

9. The Secretary of Environment and Sustainable Development of Argentina welcomed the participation of the countries of the region in the workshop and highlighted the importance of the Escazú Agreement for environmental policy and climate action. He pointed out that the Escazú Agreement was the perfect combination between human rights and the environment to the benefit of sustainable development. It focused on people, particularly those in vulnerable situations. It was also a tool and a platform to connect Governments with the different sectors of society to achieve the objectives and changes needed for sustainable development, strengthen the Rule of Law and accountability. He called for making profitability and sustainability synonyms, so that what is unsustainable is unprofitable. Societies needed also to transition from circular economies to circular governance, being Governments circular and not linear to engage the public sector and society as a whole in the pursuit of real changes. In Argentina, the Escazú Agreement was under parliamentary review and he was confident as to its early ratification.

10. The Minister of Education, Innovation, Gender Relations and Sustainable Development of Saint Lucia expressed satisfaction for being one of the first countries to sign the Escazú Agreement. Signature constituted the first step towards the materialization of the rights of access in her country and in the region as a whole. She underscored the importance of involving all sectors of society in environmental management and pledged to leave no one behind. She summarized the measures taken by her Government to accelerate the ratification of the Escazú Agreement, such as public awareness and capacity-building actions, meetings with stakeholders, educational programmes and campaigns on media, among others.

11. The Special Envoy of the Secretary-General for the 2019 Climate Summit pinpointed the existing synergies between the Escazú Agreement and climate negotiations, particularly the Paris Agreement. He stated that climate action had to follow a multi-stakeholder approach, engaging citizens as a whole to make real and effective changes. He also congratulated the countries of the region for this initiative. The Climate Summit would be held on 23 September 2019, convened at the Heads of State and Government level, with the participation of other relevant stakeholders such as the private sector, local governments and civil

society, and sought to strengthen and scale up political ambition to tackle climate change. Countries were invited to share concrete actions beyond speeches, being the Escazú Agreement a clear example.

12. Finally, the elected representative of the public held that the Escazú Agreement represented an unparalleled opportunity to achieve sustainable development with equality and from a rights-based approach. Although States had a main role to play, environmental democracy also required the real and significant participation of society. Civil society organizations were involved in several ways and were strategic partners to implement the Escazú Agreement and other commitments assumed by States in the field of sustainable development. She recalled that the Escazú Agreement was also the first treaty containing specific provisions for the protection and safeguarding of human rights defenders in environmental matters. It was a key tool to revert the tragic situation faced by those that defend the environment. The prompt entry into force of the Escazú Agreement was both necessary and urgent.

General overview of the Escazú Agreement: background, state of affairs and next steps

13. Under this agenda item, the Technical Secretariat of the Escazú Agreement delivered a brief presentation of the background to the negotiation, current participation status in the Escazú Agreement and expected next steps. It also summarized the structure of the Regional Agreement and its main content, highlighting the strengthening of capacities and cooperation that were crosscutting to the provisions as a whole.

14. It further recalled the central components of the Final Act of the Ninth Meeting of the Negotiating Committee of the Regional Agreement, that applied between the adoption and entry into force. Among the most relevant points were the role of the Presiding Officers, which were requested to continue steering the necessary work in this period, the application *mutatis mutandis* of the Modalities of participation of the public in the Negotiating Committee of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (LC/L.4163) until the first Conference of the Parties, and the invitation to all Latin American and Caribbean States to sign the Agreement, in accordance with article 21 thereof, and to ratify, accept, approve or accede to it, as appropriate, as soon as possible.

Developments in the ratification processes and entry into force of the Escazú Agreement

15. The representatives of the signatory countries to the Escazú Agreement mentioned the national actions taken in the ratification processes, including consultations, meetings and workshops with different governmental and non-governmental actors, as well as dissemination and awareness-raising activities. Statements were made by the following delegations²: Antigua and Barbuda, Costa Rica, Ecuador, Guatemala, Guyana, Mexico, Peru, Dominican Republic, Uruguay, Bolivia (Plurinational State of), Paraguay and Argentina. The elected representative of the public also made a statement.

16. The representative of Antigua and Barbuda stated that important actions had taken place to sensitize, educate and raise awareness about the Escazú Agreement. She underscored the substantive support provided by ECLAC, in its capacity as technical secretariat, and recalled that her government had initiated the internal ratification process. Access to information and public participation represented central elements of her country's environmental policy and were included in all activities.

² Listed in speaking order.

17. The representative of Costa Rica mentioned the strong support given by his country to the ratification process. As of 4 March 2019, the adoption bill was with the Legislative Assembly (File number 21.205) and it was expected to be passed soon.

18. The representative of Ecuador pointed to significant developments in access rights in her country. She made particular mention of the Organic Code of the Environment, which included the rights to information and participation, the National Information System and the Single Environmental System, as well as Councils for the defense of human rights and nature and the rules for the promotion and protection of human rights defenders. Moreover, it had adopted a national environmental education strategy with wide participation through consultative councils.

19. The representative of Guatemala drew attention to the work plan to raise awareness of the Escazú Agreement with the participation of the public and private sectors and academia. Workshops aimed at government and civil society representatives had been organized and the Agreement had been presented in radio programmes. A technical committee had been created with the private sector to follow-up on the Agreement. As for the measures foreseen, she pointed to the creation of a department for public participation and the establishment of an internal protocol for public participation.

20. The representative of Guyana thanked ECLAC for its support in the ratification of the Escazú Agreement. After signature, a joint workshop had been organized in November 2018 with different Government offices and agencies to analyze the internal legal framework and synergies with international processes and commitments. Access rights were already embedded in Guyana's laws and policies. However, the agreement would allow to make progress in pending matters such as the strengthening of monitoring and management systems, a platform on information on biodiversity and the functioning of the committee on multilateral environmental agreements.

21. The representative of Mexico said that in April 2019 the Secretariat for Foreign Affairs had commenced the internal process to review the Agreement prior to its submission to the Senate. The process consisted in consultations with different offices involved and was hoped to conclude in May 2019. Raising awareness on the Agreement had been identified as key. The Escazú Agreement strengthened the efforts made by Mexico to achieve the 2030 Agenda.

22. The representative of Peru said that the ratification process had begun. The agreement was currently being reviewed by the Ministry of the Environment and had been consulted with other ministers, which had indicated the conformity of the agreement with the internal legal framework. As a result, no major difficulties were anticipated for ratification. She also pointed to developments in access rights such as the enactment of the Framework Law on Climate Change in 2018 and the drafting process of its regulations, which was subject to a wide consultation. There was also an environmental information system governed by a supreme decree. The drafting of the national report on the state of the environment was, nonetheless, pending.

23. The representative of the Dominican Republic expressed his country's strong support to the Escazú Agreement, as was evidenced by the fact that it had hosted the fourth negotiating committee meeting. He stated that the internal process of ratification was moving forward.

24. The representative of Uruguay said that his government had concluded the review process by the executive branch and the President had submitted the Escazú Agreement to the legislative branch on 28 February 2019. To support the ratification process, activities with academia and civil society were being organized such as the Environmental law congress and a seminar with civil society. He called on countries

to reflect on the advantages arising from the ratification of the agreement. In the case of Uruguay, although the country had a solid legislative framework, the agreement would set a regional standard that would contribute towards similar developments in the different countries. He also highlighted the opportunities for cooperation and sharing of experiences.

25. The representative of the Plurinational State of Bolivia made reference to the internal process for the ratification of the Escazú Agreement. She reported that the Chamber of Deputies had approved the draft law of ratification and it had been sent to the Senate to conclude the process. As for other developments, she highlighted the Plurinational Strategy and Policy for the Integral and Sustainable Management of Biodiversity (2019-2030), prepared with a gender-based approach and with indigenous peoples.

26. The representative of Paraguay said that her country had been one of the first to sign the Escazú Agreement and considered it a fundamental instrument to improve environmental protection, strengthen governance in this field and support mechanisms that promote citizen's access to information and transparency. Furthermore, its principles were aligned with the commitments assumed by Paraguay in the 2030 Agenda. The country was moving forward in the internal process of ratification and looked forward to its early implementation.

27. Argentina indicated that two meetings related to the Escazú Agreement had taken place recently. The first was a bi-national meeting on access to justice between Jujuy in Argentina and Antofagasta in Chile. The province of Jujuy had a public prosecutor and the first environmental court of the country. Additional meetings were expected in Santiago and Mendoza (Argentina). The second event was a seminar organized by the Ministry of Foreign Affairs and Worship that gathered experts, civil society and representatives of the Executive and Legislative branches. The new criminal code had also been adopted that included environmental crimes against biodiversity, flora and fauna.

28. The elected representative of the public mentioned the actions taken from different civil society organizations in support of the signature and ratification processes in the region. These included strategies in the media, participation in international meetings and the organization of national workshops and events. She also referred to the inclusion of the Escazú Agreement in the report on the implementation of the Sustainable Development Goals in Brazil and the publishing of good practices on the protection of environmental defenders in Mexico.

Sharing good practices for the implementation of Multilateral Environmental Agreements

29. In this session, the representatives of Costa Rica, Saint Lucia and Uruguay shared various experiences and good practices for the implementation of Multilateral Environmental Agreements. The Secretary to the Aarhus Convention of the United Nations Economic Commission for Europe and the representative of France in the Aarhus Convention also took part in this session.

30. The delegate of Costa Rica said that his country was one of the first to revert deforestation, moving from 20% to 56% of national forest coverage. This was made possible thanks to a State law and policy for the payment of environmental services that had been replicated in several countries. Arising from the programme, four types of services were recognized and engagement programmes with civil society, women and indigenous peoples were undertaken. In 2010, a national consultation process took place in three stages: informational, pre-consultative and consultative stages, guided by free, prior and informed consent, the voluntary participation of stakeholders and the respect for cosmovisions and indigenous territories. In terms of gender, groups of women took part in the consultation. In 2018, a coalition to mainstream a gender-based approach in negotiation and implementation processes was launched at the United Nations General

Assembly, emphasizing the key role of women. In 2017, the Consultative Council on Climate Change that follows-up on climate actions, composed by representatives of different sectors, was created.

31. The representative of Saint Lucia brought to the fore an environmental information system established in 2018 to implement multilateral environmental agreements. The system provided critical data to the public through a virtual and open platform. This tool would also serve to implement the Escazú Agreement. The data was collected with the participation of different stakeholders, communities and local agents, and was supported by meetings and workshops. She reaffirmed the importance of the Escazú Agreement to build capacities and sensitize the public on access rights.

32. The representative of Uruguay mentioned four good practices in which the country had been involved for the implementation of multilateral environmental agreements: the Kyoto Protocol, the Stockholm Convention, the Paris Agreement and the Montreal Protocol. The Kyoto Protocol used an institutional model of participation, through which the protocol was included in an existing formal committee. Guides were also prepared, and projects aligned to this end. The Stockholm Convention used a planning model, as it was implemented through national implementation plans that resulted from laws. For the Paris Agreement, the country resorted to a political model, as Uruguay did not have a national policy on climate change until then. Finally, the Montreal Protocol was based on a resource model.

33. The Secretary to the Aarhus Convention of the United Nations Economic Commission for Europe presented the structure of the Convention and its Protocol on Pollutant Release and Transfer Registers. The Convention had been adopted in 1998, entered into force in 2011 and had at present 47 State Parties. The Protocol was adopted in 2003, entered into force in 2009 and had at present 36 State Parties. The Convention was structured around the Meeting of the Parties, the Bureau, the Working Group of the Parties, the Compliance Committee and three Task Forces. She mentioned the existing differences in terms of levels of development, traditions and systems among its State Parties as well as the main trends and challenges in environmental matters. As for the benefits of ratification, she pointed to the visibility and political credit, the financing opportunities, the institutionalization of the cooperation, the possibilities of integration and the establishment of solid standards that favour more effective policies. As lessons learned, she said that ratification allowed for structured assistance for the implementation, based on national needs and the support of different stakeholders. Capacity-building was organized at the regional, sub-regional and national levels.

34. The delegate of France presented some of the benefits obtained as a result of the ratification of the Aarhus Convention. In access to information, the French Ministry of Environment had put in the public domain the portal “All on the environment” and since 2018, a webpage of projects that could have a significant impact on the environment. In terms of participation, he highlighted the Environment Charter, inspired directly by the Aarhus Convention and resulting from the same, which reformed procedures for information and public participation in relation with some decisions that could have an impact on the environment. The main achievements were the recognition of the right of citizen initiatives and the right to request early participation. The preparation of a follow-up report, required by the Aarhus Convention, also represented an opportunity to take stock of the developments and cooperate with different actors and civil society. France was also committed with the promotion of public participation in international forums. He considered that the Escazú Agreement was instrumental to achieve sustainable development in the region and invited all countries of Latin America and the Caribbean to ratify it in the near future.

Cooperation and synergies for the entry into force and implementation of the Escazú Agreement

35. ECLAC, UN Environment, OHCHR, the CCJ Academy of Law, CAF, the European Investment Bank, CARICOM, the Commonwealth Secretariat, the Andean Parliament and representatives of the public intervened in this session.

36. ECLAC presented the Observatory on Principle 10 in Latin America and the Caribbean³, which had a revamped design on the occasion of the first anniversary of the adoption of the Escazú Agreement and sought to support efforts towards its early implementation. The Observatory was based on the research undertaken in support of the negotiation of the Escazú Agreement and the input provided by the countries and other stakeholders. It contained specific references on access rights in international treaties of which the countries of the region were a Party to as well as provisions and other information of interest on these rights in constitutions, laws, regulations, plans, strategies, policies and case law in Latin America and the Caribbean.

37. UN Environment reaffirmed its strong support to the Escazú Agreement and congratulated countries in their efforts to achieve a prompt ratification and entry into force. It highlighted the need of building a solid base of support and offered its collaboration to develop capacity-building and cooperation on access rights and environmental governance. One of the most important tools in this regard was the InforMEA portal⁴, granting access to information on environmental treaties adopted in the framework of the United Nations. It also underscored the recent adoption of the Fifth Programme of Montevideo on Environmental Law at the Fourth UNEA, with the active participation from the region, and which offered an important platform to make progress in the rights enshrined in the Escazú Agreement. The first global report on Environmental Rule of Law had also been presented recently, containing a chapter on civil society participation. Furthermore, there was an Environmental Rights Initiative, focusing specifically on human rights defenders in environmental matters. Moreover, it drew attention to the Forum of Ministers of Environment of Latin America and the Caribbean, which had referred to the Escazú Agreement and at its last meeting in October 2018 had included a ministerial dialogue on Environmental Rule of Law.

38. OHCHR linked human rights with the environment, pointing out that both were closely related. The Escazú Agreement galvanized this relationship, with important references to human rights and one particular article on human rights defenders in environmental matters stood out for the region. It highlighted the importance of the Escazú Agreement in the measures on climate action and to support the protection of persons and groups that are most vulnerable to environmental harm. OHCHR had within its mandate the obligation to support human rights treaties and, as a result, would promote the ratification of the Escazú Agreement so that it could enter into force soon.

39. The CCJ Academy of Law stated that the Escazú Agreement had paved the way for enhanced collaboration between Latin America and the Caribbean, reaffirming key environmental principles, recognizing specific characteristics such as the special consideration of Small Island Developing States, strengthening regulatory frameworks and institutions and favouring the engagement of civil society. It considered of utmost importance to analyze those constraining factors that could hinder participation in the same, such as reporting obligations, the modification of legislation or the establishment of institutions. There were strategic solutions to overcome each one of these factors. As for reports, it proposed sub-regional reports and the participation of civil society organizations. On structures, it recommended using existing laws and institutions and called for the strengthening of the participation of the Caribbean and of

³ See [online]: <http://observatoriop10.cepal.org/en>.

⁴ See [online]: <http://www.informea.org>.

capacity-building. The CCJ Academy of Law played a particular role in that regard. It also recalled that the joint ECLAC/CCJ publication “*Ensuring environmental access rights in the Caribbean: Analysis of selected case law*” (LC/TS.2018/31/Rev.1) contained a review of the main judicial trends that supported the implementation of the Escazú Agreement in the Caribbean.

40. The CAF-Development bank of Latin America said that it had integration and sustainable development as core pillars. Prior and informed consultation were an essential component of its internal policy. CAF reaffirmed its support to the 2030 Agenda, being up to each country to decide its own strategy and prioritize some matters to achieve the greatest number of goals. It put an emphasis on gender and the especial vulnerability of some groups.

41. The European Investment Bank mentioned that it was an international financial institution with a mandate to work in Europe but also in other regions such as in Latin America and the Caribbean. It welcomed the signature of the Escazú Agreement and looked forward to its entry into force as it would facilitate the bank’s activities in the region and the support it could provide to Latin American and Caribbean countries. In that regard, it invited countries to determine their priorities, needs and challenges towards implementation so that partners could support.

42. CARICOM underscored the importance of the Escazú Agreement for its Member States in light of the Treaty of Chaguaramas and the commitments assumed in environmental matters. CARICOM supported the regional approach as well as key principles on which the Agreement was based such as the participation of civil society, academia and the private sector. It drew attention to the existing challenges in the Caribbean related to access to data and the generation of information, where the Escazú Agreement could contribute. At the CARICOM level, this had been prioritized through a regional plan of action on statistics, with a special emphasis on capacity-building and cooperation. It was also working on a framework policy on national resources that included public participation and access to and the generation of data, information and statistics. CARICOM and ECLAC were strategic partners and were collaborating closely in international processes of Small Island Developing States (SAMOA Pathway) and the Regional Coordinating Mechanism. It reaffirmed its support to its Member States to fulfill the obligations assumed in the environmental field, including the Escazú Agreement.

43. The Commonwealth Secretariat considered the Escazú Agreement a milestone for the region and for its Member States in the Caribbean. There were important synergies and similarities between the principles contained in the Commonwealth Charter, its Blue Charter and the Escazú Agreement, such as the active participation for sustainable development, transparency, accountability and trust and legitimacy building. It welcomed the focus put on marginalized communities and the generation of information. It also put itself at the disposal of its Member States to support them in matters related to the Escazú Agreement, in collaboration with ECLAC and other development partners. It congratulated Antigua and Barbuda, Guyana and Saint Lucia for being one of the first to sign and, particularly, Guyana for being the first Commonwealth country and the first in the region to ratify.

44. The Andean Parliament said that it as a body that represented societies and the integration of Ecuador, Bolivia, Colombia, Chile and Peru. It strived to support efforts towards greater participation and empowerment of stakeholders. It supported the 2030 Agenda and the Escazú Agreement and underscored its 21 normative frameworks on different fronts. Furthermore, it shared a decision adopted recently by the Parliament in which it welcomed the signature of the Escazú Agreement by Bolivia, Ecuador and Peru and encouraged them to continue towards its ratification. It also invited Chile and Colombia to pool efforts to promptly sign and ratify the agreement.

45. The elected representative of the public was excited to learn of all the support expressed by the different partners and the ownership generated around the Escazú Agreement, which was very encouraging. He recalled that it was not necessary to wait until its entry into force to implement the provisions of the Agreement. He highlighted the existence of good practices in the region, such as the preparation of the Law on Minimum Standards for the Environmental Protection of Native Forests in Argentina, the consultation standards with the private sector in Jamaica and the processes related to Amazonian “hidrovías” in Peru. The Escazú Agreement also offered a timely platform to tackle the critical situation faced by human rights defenders in environmental matters in the region. There were also important synergies with the international and national agenda as well as with other actors, including local governments and the private sector.

46. A representative of the public of Peru informed about the creation of a network of over 30 organizations to support Principle 10 in Latin America and the Caribbean, linked to The Access Initiative. A project had also been put forward to support the signature and ratification in Argentina, Brazil, Colombia, Ecuador, Honduras, Mexico, Saint Lucia and Peru as well as communication actions in the Plurinational State of Bolivia, Chile, Jamaica and the Dominican Republic.

47. Representatives of the University of Chile and of the University of Rosario in Colombia stated that academia had been following-up closely the negotiation process and could contribute to open spaces for collaboration to implement the Escazú Agreement. There was an academic network and it rendered support through workshops and knowledge exchange for sustainable development.

48. Representatives of the public of Peru and Brazil referred to the existing synergies between coalitions of organizations in the region. The International Land Coalition gathered over 50 organizations linked to land rights and had put its emphasis on the protection of defenders. It had a Regional Initiative for the Protection of Defenders and at the global level a coalition for the defense of defenders focusing on environmental matters. The organization 350.org also supported efforts to protect climate defenders.

Joint session: Challenges and priorities: strategies and roadmaps for an early entry into force and implementation of the Escazú Agreement; and Roundtable on the intermediate steps until entry into force: expectations and results

49. The sessions on the strategies and roadmaps for an early entry into force and implementation and on the intermediate steps until entry into force were held jointly. Participants were invited to reflect on the priorities and needs at the national, sub-regional and regional levels to achieve this objective. Attention was drawn to three matters that had to be discussed at the first Conference of the Parties: (i) the rules of procedure of the Conference of the Parties, including the modalities for significant participation by the public (article 15.4 a); (ii) the financial provisions that are necessary for the functioning and implementation of the Agreement (article 15.4b); and (iii) rules relating to the structure and functions of the Committee to Support Implementation and Compliance (article 18.1).

50. The representative of Costa Rica reaffirmed the offer to organize the first meeting of the signatory countries of the Escazú Agreement in the last quarter of this year. In the same, countries were expected to exchange views on the expectations and expected results of the first COP, with support by the public and other stakeholders.

51. The elected representative of the public considered as a priority to materialize article 9 of the agreement on human rights defenders in environmental matters. She also recalled that the public was at the disposal of countries to discuss and collaborate. Concrete proposals on these matters would be presented at the meeting of signatories. She summarized the reasons for which countries should ratify the Agreement,

such as the opportunities for technical assistance and funding, the greater prestige and legitimacy, the strengthening of existing frameworks and institutions, legal certainty and the deepening of their commitment with human rights and environmental matters.

52. The representative of Uruguay said that the final aim was clear: to reach the first COP. But to get to that point, it was necessary to undertake several intermediate actions that would enable for the preparation of the work and to move forward adequately. It was usual in Multilateral Environmental Agreements to have a transitional mechanism, whether it be an extension of the Negotiating Committee, working groups or others. The Final Act of the Ninth Meeting had tasked the Presiding Officers with the responsibility of continuing to steer the efforts. However, signatory countries and those that had ratified needed to assume a leading role and the responsibility of preparing the first COP. The current number of signatories allowed to work together, without needing to deal with the matters separately in groups. Although the Agreement was open to the 33 countries of Latin America and the Caribbean, it was important to prioritize those countries that had signed and ratified.

53. The representative of the Bahamas stated that the legislative framework of her country included almost all aspects of the Escazú Agreement, thus facilitating its ratification. However, she pointed to the importance of considering the necessary measures for its implementation as well as any associated costs. In line with what had been expressed by Uruguay, it was important to analyze the added value of the agreement. In particular, she said that the Freedom of Information Act in her country was only partially in force and required several actions to be effectively implemented.

54. The representative of UN Environment said that the Environmental Rights Initiative focused on environmental defenders and made herself available to specify concrete actions to support in the implementation of the Escazú Agreement in this matter.

55. Even though the rules of procedure of the COP would be discussed at the first COP, the delegates agreed on the importance of maintaining a significant participation by the public and recalled that the Final Act applied *mutatis mutandis* until the entry into force.

56. The representative of Mexico called for the strengthening of national ratification processes in the countries and to seize all instances to undertake strategic activities that facilitate such processes. She suggested to keep the momentum between the workshop and the first meeting of the signatory countries and offered to organize an event in Mexico to continue with the discussions on the challenges and opportunities in the implementation of the Escazú Agreement.

57. The representative of Ecuador held that, in addition to national roadmaps, guidelines were required at the regional level and supported the efforts being made in other platforms.

58. The representative of Guyana supported holding a meeting of the signatory countries and prior meetings to move forward in the pending matters.

59. The elected representative of the public said that the public was available to contribute through the widest possible participation in national and regional activities. It was important to organize virtual and in person sessions.

60. Delegates were invited to send to the Technical Secretariat a form with the main challenges and priorities in the implementation of the Escazú Agreement in their countries.

Annex A

**LISTA DE PARTICIPANTES
LIST OF PARTICIPANTS**

**A. Países signatarios del Acuerdo de Escazú
Signatory countries of the Escazú Agreement**

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- Ruth Spencer, National Coordinator, Global Environment Facility Small Grants Programme, email: rvspencer@hotmail.com

ARGENTINA

Representante/Representative:

- Sergio Bergman, Secretario de Gobierno de Ambiente y Desarrollo Sustentable de la Argentina
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BOLIVIA (ESTADO PLURINACIONAL DE)/BOLIVIA (PLURINATIONAL STATE OF)

Representante/Representative:

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GUYANA

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HAITI

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MÉXICO/MEXICO

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- Armando Arriazola, Jefe de Cancillería, Encargado de Negocios, a.i., Embajada de México en Chile
- Enrique Romero, Segundo Secretario, Encargado de Asuntos Políticos y Prensa, Embajada de México en Chile

PANAMÁ/PANAMA

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PARAGUAY

Representante/Representative:

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PERÚ/PERU

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- Gabriela Paliza, Dirección General de Educación, Ciudadanía e Información Ambiental, Ministerio del Ambiente, email: gpaliza@minam.gob.pe

REPÚBLICA DOMINICANA/DOMINICAN REPUBLIC

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SANTA LUCÍA/SAINT LUCIA

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- Gale T.C. Rigobert, Minister of Education, Innovation, Gender Relations and Sustainable Development
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B. Otros países miembros de la Comisión Other States members of the Commission

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- Daniella Knowles-Pratt, Programme Analyst, Economic Development and Planning Unit, Office of the Prime Minister
- Ketra Todd, Project Specialist, Economic Development and Planning Unit, Office of the Prime Minister

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**C. Secretaría de las Naciones Unidas
United Nations Secretariat**

Comisión Económica para Europa (CEPE)/United Nations Economic Commission for Europe

- Ella Behlyarova, Secretara, Convenio de Aarhus, email: ella.behlyarova@un.org

**D. Organismos de las Naciones Unidas
United Nations bodies**

Programa de las Naciones Unidas para el Medio Ambiente (PNUMA)/United Nations Environment Programme (UNEP)

- Andrea Brusco, Coordinadora Regional de Gobernanza Ambiental, Oficina Regional para América Latina y el Caribe, email: andrea.brusco@pnuma.org

Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos (ACNUDH)/ Office of the High Commissioner for Human Rights (OHCHR)

- Xavier Mena, Representante Regional Adjunto para América del Sur, email: fmena@ohchr.org

**E. Organizaciones intergubernamentales
Intergovernmental organizations**

Banco Europeo de Inversiones

- Adina Relicovschi, Deputy Adviser, Projects Directorate, Safeguards and Quality Management Department, Environment, Climate and Social Office, email: a.relicovschi@eib.org

CARICOM Secretariat

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Corporación Andina de Fomento

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Commonwealth Secretariat

- Nicholas Hardman-Mountford, Head of Oceans and Natural Resources

Parlamento Andino

- Mariano González, Presidente de la Comisión Tercera de "Seguridad Regional, Desarrollo Sustentable, Seguridad y Soberanía Alimentaria"

**F. Invitados especiales
Special guests**

- Luis Alfonso de Alba, Enviado Especial del Secretario General para la Cumbre del Clima 2019
- Winston Anderson, Judge, Caribbean Court of Justice, Trinidad and Tobago
- Birgitte Feiring, Director, The Danish Institute for Human Rights, email: bife@humanrights.dk

- Saionara König-Reis, Senior Advisor, The Danish Institute for Human Rights, email: saik@humanrights.dk
- Luis Salvatierra Gutierrez, Jefe de la Unidad de Derechos de Naciones y Pueblos Indígena originario campesino y pueblo afroboliviano, Defensoría del Pueblo de Bolivia, email:
- Mariela Infante, Instituto Nacional de Derechos Humanos, Chile, email:

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G. Secretaría/Secretariat

Comisión Económica para América Latina y el Caribe (CEPAL)/Economic Commission for Latin America and the Caribbean (ECLAC)

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