

High Level Political Forum on Sustainable Development 2019

SIDE EVENT

ESCAZU AGREEMENT: ESTABLISHING ENVIRONMENTAL RIGHTS FOR THE MOST VULNERABLE

PERU's REMARKS

Peru's progress towards ratification of the Escazu's Agreement

Peru is one of the countries with the greatest biodiversity in the world, and it is because of this particular wealth that it has had an active participation in initiatives that promote and / or contribute to the achievement of sustainable development. For this reason, it was important for our country to participate, since its inception in 2012, in the entire negotiating process of the "Declaration on the Application of Principle 10 of the Rio Declaration on Environment and Development", to build a common vision, plan of action and regional agreement on access rights in environmental matters.

The Ministry Of Foreign Affairs is in the process of concluding the internal legal procedure of this instrument. As a preliminary step, almost fifteen of the national institutions that have competence in the subject matter of the Agreement have been consulted, all of them have expressed their favorable opinion for its ratification. After the Parliament's approval, Peru will be ready to this regional instrument.

Developments that implement the provisions of the Agreement

The Escazú Agreement represents an opportunity for Peru because it allows consolidating and strengthening the practices contained in the national framework related to access to information, public participation and access mechanisms to environmental justice (access rights). It also encourages cooperation among States and capacity building, with a view to having a common standard for the implementation of access rights.

Our national framework already contains extensive regulation regarding access rights. For example, our Political Constitution recognizes fundamental rights related to access rights, as well as to enjoy a balanced and adequate environment; the National Environmental Policy enshrines the rights to information, participation in environmental management and environmental justice.

Regarding Access to environmental information and Public participation in environmental decision-making processes, there is the "National Environmental Information System" (SINIA), a network that facilitates the systematization, access and distribution of environmental information as well as its use and exchange; the "Regulation on Transparency, Access to Environmental Public Information and Participation and Citizen Consultation in Environmental Matters" (MINAM); and the "Regulation of the Law of Transparency and Access to Public Information" (PCM).

Regarding Access to justice in environmental matters, we have access to justice at an administrative and judicial level through bodies such as the Environmental Assessment and Enforcement Agency (OEFA) and the Specialized Prosecutor's Offices in Environmental Matters (FEMA). Also, Environmental Justice Modules in key regions with rich biodiversity and big presence of indigenous peoples, such as Madre de Dios, and Pucallpa.

It should be noted that in Peru there is a National Plan for Human Rights 2018-2021, and a Protocol to guarantee the protection of human rights defenders ". This protocol establishes actions, procedures and measures to generate an adequate environment at the national level so that the persons dedicated to the defense of human rights can develop their activities freely and in accordance with national and international law. This is an important step forward in our legislation that ultimately contributes to consolidating our legislation according to the content of the Escazú Agreement, and in particular Article 9, which refers to human rights defenders in environmental matters.

Finally, reaffirming Peru's commitment to promote transparency, access to information and effective and inclusive participation, within the framework of the preparation of the National Framework on Climate Change, a participatory, multilevel and multi-actor process called "Dialoguemos" is in place to collect contributions from the public sector, indigenous peoples, civil society, youth, private sector, NGO and academia. In addition, recognizing the importance of ensuring the well-being and participation of the most vulnerable populations, such as indigenous peoples, the process of prior consultation with indigenous peoples has also been carried out for the approval of this regulation, so that the important vision of these peoples is included to address the problem of climate change.

This Law has the gender equality, intergenerational, human rights and intercultural approaches in order to take into account their interests and needs.

Peru is committed to the implementation of the Sustainable Development Goals and the Escazú Agreement is a great contribution to the 2030 Agenda, particularly to SDG

16, which refers to promoting peaceful societies for sustainable development, facilitating access to justice for all and creating effective, responsible and inclusive institutions at all levels. It should be noted that the objectives of this agreement also contribute to the frontal fight against corruption, which is one of the main objectives of the current Government.

For all these reasons, Peru is a country convinced of the importance of access rights in order to achieve sustainable and inclusive development, for which the Escazú Agreement is considered of vital importance for our region.