



Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean

› GUIDE FOR PUBLIC PARTICIPATION IN THE INSTITUTIONAL ARCHITECTURE



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Escazú Agreement

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UNITED NATIONS

ECLAC



Escazú Agreement

This document was prepared by the Economic Commission for Latin America and the Caribbean (ECLAC), in its capacity as Secretariat of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

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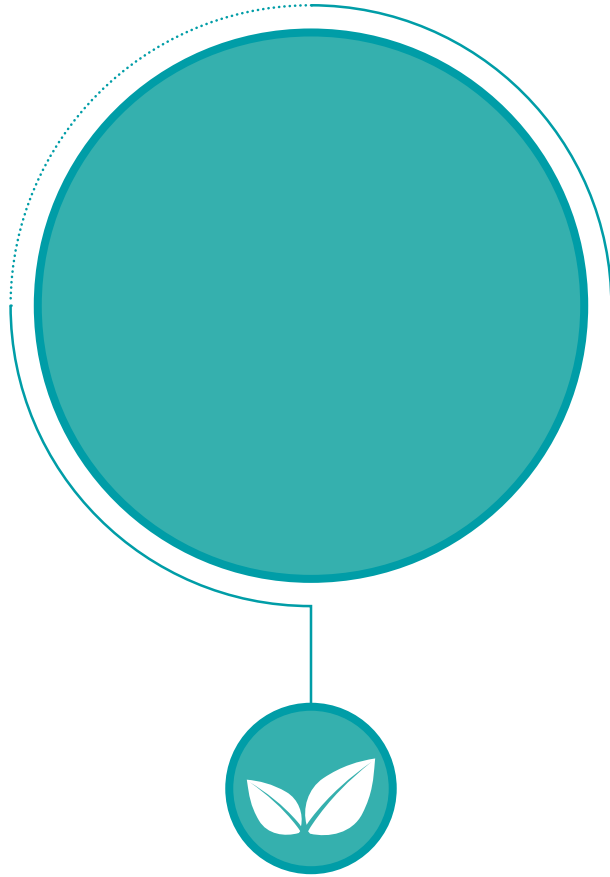
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Introduction

The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, more commonly known as the Escazú Agreement, was adopted on 4 March 2018 and entered into force on 22 April 2021.

Both its adoption and entry into force mark a milestone in the region because they enshrine the rights of access to environmental democracy –information, public participation and justice– in a binding instrument and establish that significant public participation is a fundamental pillar of the Agreement’s implementation at the regional and national levels.

Consequently, the crucial role played by public participation in the negotiation process of the Escazú Agreement must be recalled and applied equally to its implementation. This encompasses meaningful participation in the Agreement’s institutional architecture and in the implementation process itself, both at the regional level and in each of the States Parties. This Guide aims to offer the public an illustrative –albeit not exhaustive– framework to promote effective participation through the modalities envisaged in the institutional framework of the Escazú Agreement.

The first chapter briefly explains the origin of the Escazú Agreement, its structure and certain conceptual elements that help to understand the importance of significant public participation in its establishment and implementation. The second chapter examines the Regional Public Mechanism and the registration and enrolment processes, along with the main aspects to consider regarding participation. It also addresses the role of elected representatives of the public, how they are elected and the role they play. The third chapter describes the institutional mechanisms established in the Escazú Agreement, such as the Conference of the Parties, the Presiding Officers, the Committee to Support Implementation and Compliance, and the clearing house, and explains the opportunities for participation in them.

The fourth chapter addresses the role of the public in other bodies and processes within the framework of the Escazú Agreement, such as the Action Plan on Environmental Human Rights Defenders in Latin America and the Caribbean and its programme of implementation, the open-ended ad hoc working group on human rights defenders in environmental matters, the Forums on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean, and the mainstreaming of the gender perspective.

Finally, chapter five addresses public participation in the implementation of the Escazú Agreement, with particular emphasis on two key tools: the implementation guide and national road maps.

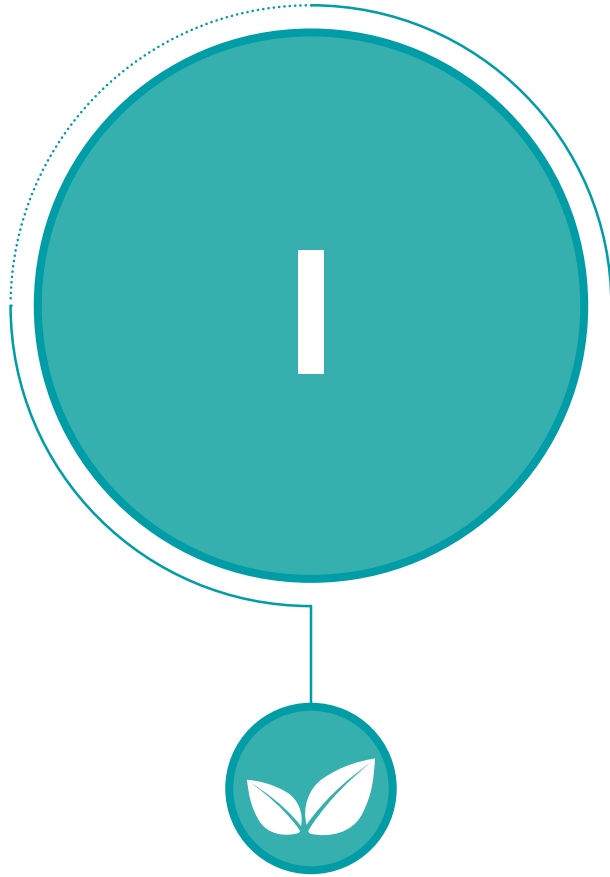
Objective

This Guide aims to provide the public with clear and accessible information on opportunities for participation, in order to foster effective participation within the institutional framework of the Escazú Agreement. Specifically, the guide seeks to strengthen the public’s capacity to:

- Recognize opportunities for public participation within the institutional framework of the Escazú Agreement;
- Understand how the different participation mechanisms work; and
- Gain a better understanding of the institutional structure of the Escazú Agreement and the key stakeholders involved.

Scope

This Guide is for anyone interested in understanding how public participation works within the various institutional mechanisms, bodies and processes established in the framework of the Escazú Agreement. It is intended to be useful for diverse groups that make up the public, including civil society organizations, the private sector, local communities, youth and women's groups, Indigenous Peoples, academics and the general public. It may also be useful for States Parties and international cooperation agencies. It is important to note that this Guide does not address the provisions on public participation in environmental decision-making processes set forth in article 7 of the Escazú Agreement, as the responsibility for implementation at the national level resides with States Parties.



Basic concepts regarding the Escazú Agreement

A. What is the Escazú Agreement? What is its purpose and structure?

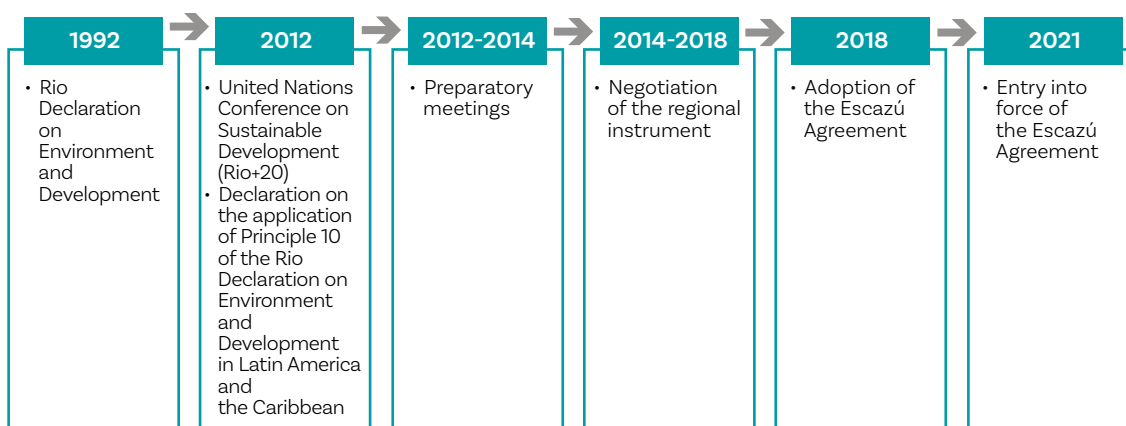
The Escazú Agreement is a regional treaty grounded in Principle 10 of the Rio Declaration on Environment and Development of 1992, which established that:

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided (United Nations, 1993).

Subsequently, in 2012, at the United Nations Conference on Sustainable Development (Rio+20), several countries¹ signed the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean, thereby initiating the process that led to the negotiation and adoption of the Escazú Agreement. This process consisted of a series of preparatory meetings, which took place over a two-year period (2012–2014), and nine meetings of the Negotiating Committee (2014–2018), all with significant public participation. The final text of the Agreement was adopted in Escazú, Costa Rica, on 4 March 2018, and entered into force on 22 April 2021 (see diagram I.1).

Diagram I.1

The process of adoption of the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean.

The purpose of the Escazú Agreement is to “guarantee the full and effective implementation” of access rights or procedural rights in environmental matters: access to environmental information, public participation in environmental decision-making processes and access to justice in environmental matters, as well as the protection of human rights defenders in environmental matters (Economic Commission for Latin America and the Caribbean [ECLAC], 2022a, p. 14).

¹ Chile, Costa Rica, the Dominican Republic, Ecuador, Jamaica, Mexico, Panama, Paraguay, Peru and Uruguay.

To this end, the Agreement is structured into a general and substantive part, and institutional and final provisions. The general part includes the objective, definitions, principles and general provisions. All these are important for the Agreement's interpretation, application and compliance. The substantive part establishes the provisions of the Escazú Agreement related to its four pillars: access to environmental information, public participation in environmental decision-making processes, access to justice in environmental matters, and human rights defenders in environmental matters. Capacity-building and cooperation constitute a cross-cutting pillar.

The institutional provisions refer to the Conference of the Parties; the clearing house; the Committee to Support Implementation and Compliance (see chapter III); national implementation of the Agreement; the Secretariat and voting rights. Lastly, the final provisions cover matters relating to settlement of disputes; amendments to the Agreement; signature, ratification, acceptance, approval of the Agreement; accession; entry into force; the prohibition of reservations; withdrawal; and the depositary and authentic texts (see diagram I.2).

Diagram I.2

Structure of the Escazú Agreement

General part			
<ul style="list-style-type: none"> > Preamble > Objective (art. 1) > Definitions (art. 2) > Principles (art. 3) > General provisions (art. 4) 			
Substantive part			
First pillar	Second pillar	Third pillar	Fourth pillar
Access to environmental information (arts. 5 and 6)	Public participation in the environmental decision-making process (art. 7)	Access to justice in environmental matters (art. 8)	Human rights defenders in environmental matters (art. 9)
Fifth pillar			
Capacity-building and cooperation (arts. 10-12)			
Institutional provisions (arts. 13-18) Final provisions (arts. 19-26) Annex 1			

Source: Economic Commission for Latin America and the Caribbean. (2023). *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean: implementation guide* (LC/TS.2021/221/Rev.2).



Did you know...?

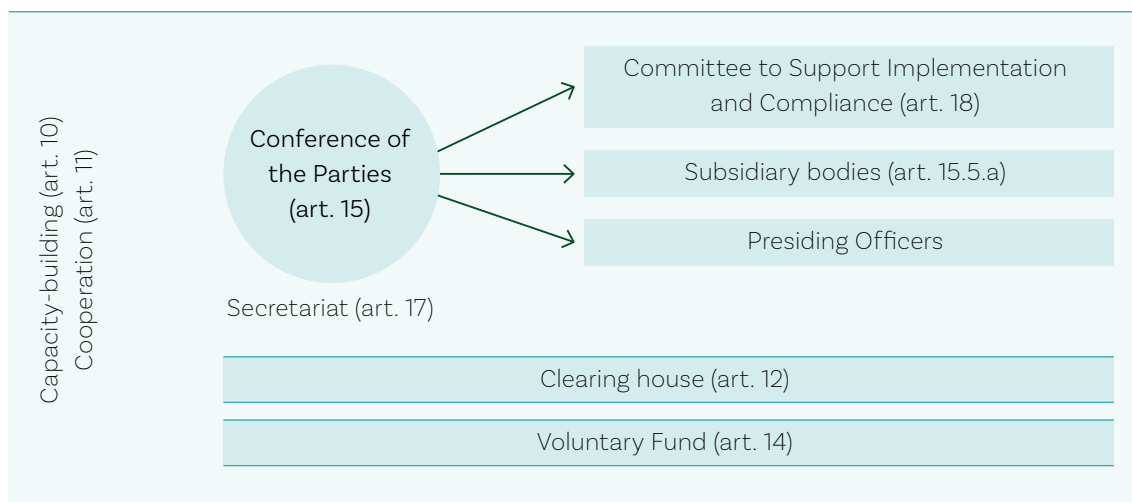
- The Escazú Agreement is the first regional treaty in Latin America and the Caribbean on the environment.
- It is the only treaty arising out of the United Nations Conference on Sustainable Development (Rio+20).
- It is the first treaty in the world to contain specific provisions on human rights defenders in environmental matters.

Multilateral treaties such as the Escazú Agreement often include provisions establishing their own institutional framework –that is, a set of structures that help them to operate in practice. These structures ensure that the treaty has permanent bodies and mechanisms that enable decision-making and cooperation by States Parties, the regular functioning of the treaty, its application and compliance, and continuous monitoring and development.

Diagram I.3 shows the institutional framework of the Escazú Agreement, or the main structures and mechanisms that enable it to function.

Diagram I.3

Architecture and institutional mechanisms of the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean. (2023). *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean: implementation guide* (LC/TS.2021/221/Rev.2).

Chapter II describes this architecture, as well as the mechanisms and the nature of public participation in each.

B. Significant participation by the public in the Escazú Agreement

The expression “significant participation by the public”² is often used in the context of the Escazú Agreement, but what does it mean and why does it matter?

To fully grasp the scope of the right to participation under the Escazú Agreement, it is necessary to understand the term “public.” In the context of the Agreement, two points must be considered in determining who constitutes the public:

- The requirement to have a legal connection with a State Party or an annex 1 country, as appropriate, either by nationality or by being subject to its jurisdiction.

Article 2 of the Escazú Agreement establishes that “public” means one or more natural or legal persons and the associations, organizations or groups established by those persons, that are nationals or that are subject to the national jurisdiction of the State Party (ECLAC, 2022a, p. 15).

² The definition of “public” is set forth in article 2 of the Escazú Agreement (ECLAC, 2022a). See also the glossary in annex A1 of this Guide.

In turn, paragraph (h) of the Definitions (section II) of the rules of procedure of the Conference of the Parties specifies that “public” means one or more natural or legal persons and the associations, organizations or groups established by those persons, that are nationals or that are subject to the national jurisdiction of the countries in annex 1 to the Agreement” (ECLAC, 2022d, p. 4).

Although article 2 links the definition to a State Party –one that has expressed its consent through ratification or accession, among others–, in the case of the rules of procedure of the Conference of the Parties, the territorial link is broader and encompasses any of the countries in annex 1 of the Escazú Agreement, the 33 countries of Latin America and the Caribbean. This latter definition allows representatives of observer countries and members of the public from States that are not yet Parties to the Agreement to participate in the meetings of the Conference of the Parties.

- The broad and inclusive concept of the public, which recognizes not only civil society organizations as part of the public, but also individuals, communities, Indigenous Peoples, women’s and youth groups, academic institutions, and private sector actors, among others. Thus, public participation encompasses all interested individuals or legal entities.

It is important to note that, unlike other multilateral spaces in which participation is divided by sector or group, the Escazú Agreement takes a comprehensive approach to participation, based on the principles of equality, non-discrimination, and pro persona. Thus, this public, which may act individually or collectively, is recognized as having the right to participate meaningfully in the various bodies of the Agreement, at both the regional and national levels. This participation occurs, for example, in the Conference of the Parties, its subsidiary bodies, and national implementation processes. In the context of the Escazú Agreement, public participation takes place at two levels:

- (i) Regional: as shown in diagram I.3, the Agreement establishes an architecture and institutional mechanisms by which it can operate, and in which the public can participate directly or through elected representatives of the public (see chapters II–IV).
- (ii) National: The countries that have become Parties to the Agreement are responsible for implementing it nationally such that the public can exercise its right to participate in environmental decision-making processes, and access information and justice in environmental matters (see chapter V).

It is important to ensure the right to participate for individuals and groups in vulnerable situations, as participation is recognized as an essential condition for progressing towards more equitable, inclusive and democratic societies. Article 2 of the Escazú Agreement defines individuals and groups in vulnerable situations as those “that face particular difficulties in fully exercising the access rights recognized in the present Agreement, because of circumstances or conditions identified within each Party’s national context and in accordance with its international obligations” (ECLAC, 2022a, p. 15), and article 7 sets forth relevant provisions on “Public participation in the environmental decision-making process”. This chapter will examine public participation in the architecture and institutional mechanisms of the Escazú Agreement at the regional level.

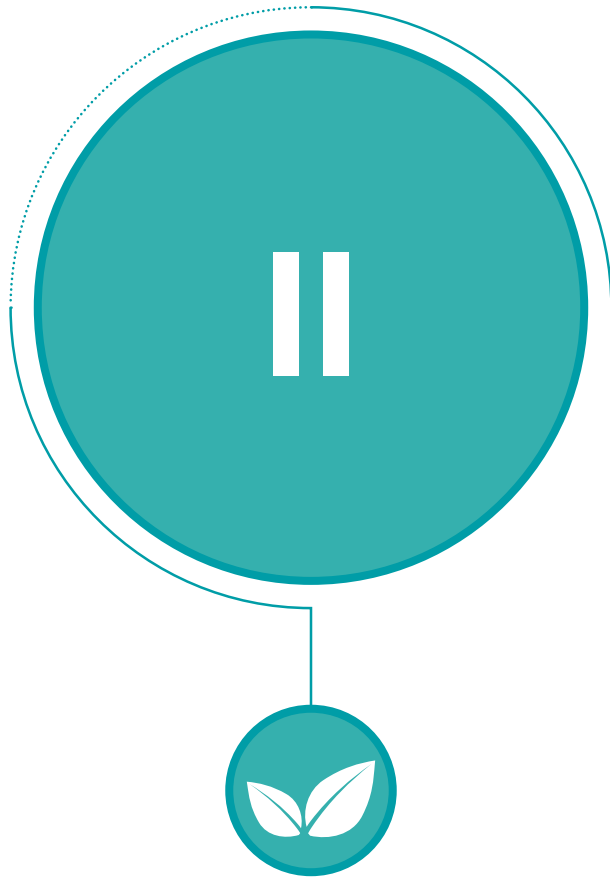


Did you know...?

- The Escazú Agreement was negotiated with structured, guaranteed public participation through the mechanisms for public participation in the Negotiating Committee. This process marked a milestone in public participation in the genesis of international agreements.
- The Escazú Agreement also has an institutional framework specifically designed to ensure significant public participation in its implementation.

C. Milestones in the Escazú Agreement process in relation to participation

- The expression “significant participation” originates in the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development, in which a group of pioneering countries in the region expressed their willingness to initiate a process to explore the feasibility of a regional instrument inspired by Principle 10, which is known today as the Escazú Agreement. In this initial commitment, the countries pledged to develop and implement a Plan of Action to advance the achievement of this instrument, with “the meaningful participation of all concerned citizens” (United Nations, 2012).
- During the preparatory stage of the Agreement (2012–2014) significant public participation was further developed in the process (ECLAC, 2013), as reflected in the various texts agreed upon at that time.
- In 2014, an invitation was extended to appoint two public representatives to maintain an ongoing dialogue with the Presiding Officers of the Negotiating Committee, the body responsible for steering and coordinating the negotiations (ECLAC, 2015). This invitation led to the establishment of an electoral process to choose the first representatives of the public.
- In 2016 the “Modalities for 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” (ECLAC, 2016) were adopted. The modalities specified three levels of participation available to the public during the negotiation of the Agreement:
 - (i) “Attendance: The public may attend meetings and have access to official meeting documents” (ECLAC, 2013, p. 12). Meetings may also be followed by webcast, to the extent possible.
 - (ii) “Reporting: The public shall have the right to share information and to make proposals on specific topics being discussed, in writing, to the government representatives, experts of representatives of international agencies in informal meetings or at side events when feasible” (ECLAC, 2013, p. 12).
 - (iii) “Making statements: The public will have the right to request the floor” (ECLAC, 2013, p. 12).
- On the basis of international standards and the best practices developed within the framework of the Escazú Agreement, a Code of conduct applicable to people attending the events of the Escazú Agreement was developed. Its purpose was to create an inclusive, safe and respectful environment in both in-person and virtual forums. The Code places particular emphasis on the principles of equality and non-discrimination, as well as respect for cultural differences and the prohibition of violence. It also includes provisions regarding the participation of minors and allows participants to report to the Secretariat of the Agreement regarding any relevant incidents that could impede an inclusive and participatory environment during activities (ECLAC, 2024a).



**The Regional Public Mechanism
and the elected representatives
of the public in the
Escazú Agreement**

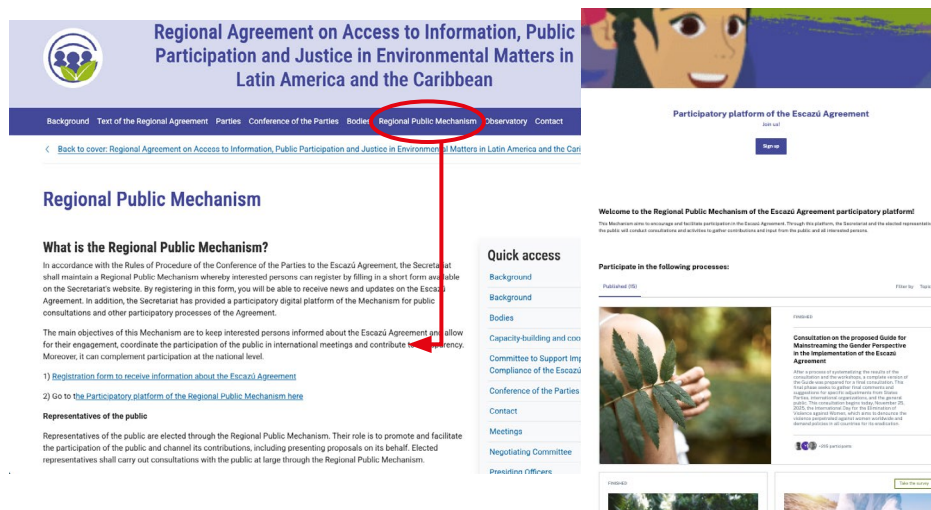
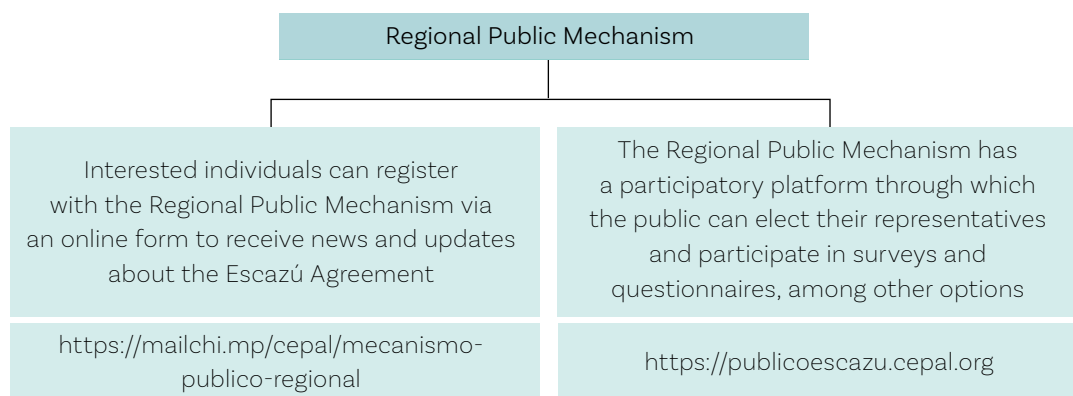
A. The Regional Public Mechanism

1. What is the Regional Public Mechanism? Why is it important?

The Regional Public Mechanism was created by the Conference of the Parties and is maintained by the Secretariat.³ It aims to inform the public, facilitate their participation and coordinate their involvement in meetings of the Escazú Agreement, thus contributing to the transparency of the process.

Interested individuals can register with the Regional Public Mechanism using an online form, to receive news, newsletters, updates and relevant information about the Escazú Agreement. The Regional Public Mechanism also has a participatory platform to facilitate direct interaction with the public and enable the election of their representatives, as well as participate in surveys, questionnaires and other consultation processes (see image II.1).

Image II.1
Regional Public Mechanism



Source: Economic Commission for Latin America and the Caribbean. (n.d.). *Regional Public Mechanism*. <https://mailchi.mp/cepal/mecanismo-publico-regional>; Economic Commission for Latin America and the Caribbean. (n.d.). *Participatory platform of the Escazú Agreement*. <https://publicoescazu.cepal.org/en>.

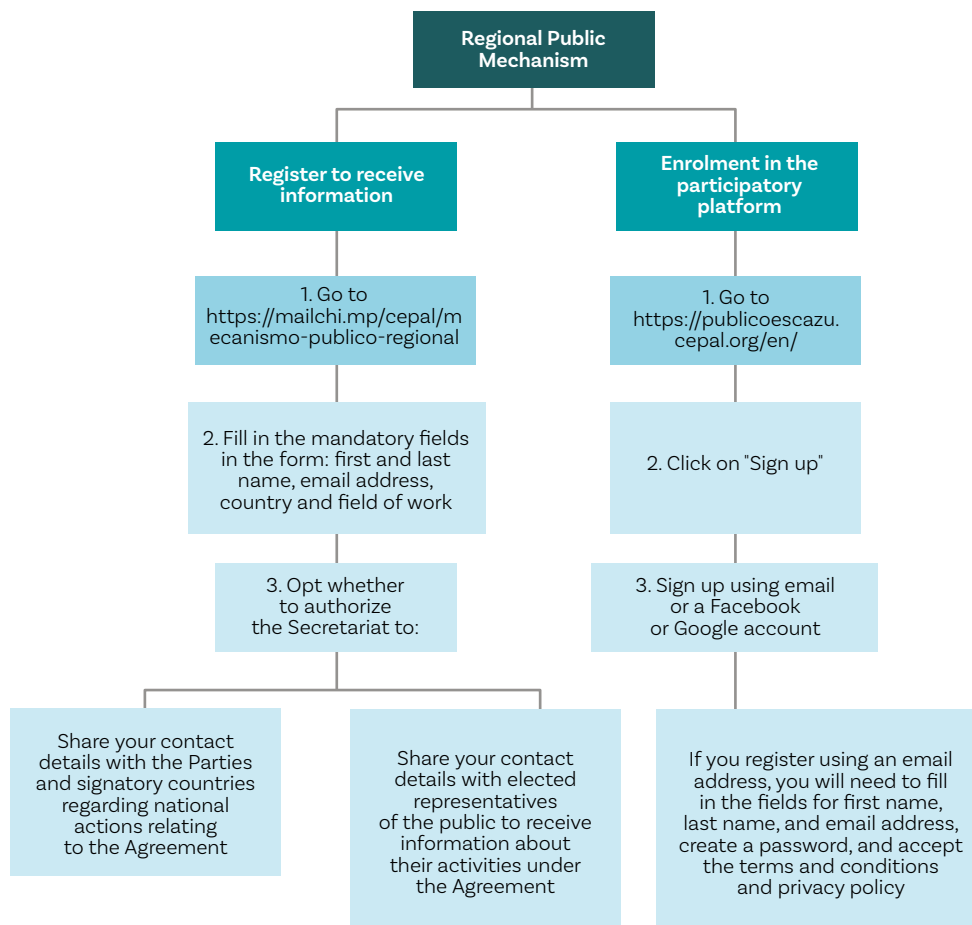
³ Rule XIV, paragraph 3, of the rules of procedure of the Conference of the Parties (ECLAC, 2022d).

2. Registration and enrolment in the Regional Public Mechanism

Diagram II.1 shows the steps to register in the Regional Public Mechanism, and to register on the participatory digital platform.

Diagram II.1

Instructions for registration and enrolment in the Regional Public Mechanism



Source: Economic Commission for Latin America and the Caribbean. (n.d.). *Regional Public Mechanism*. <https://mailchi.mp/cepal/mecanismo-publico-regional>; Economic Commission for Latin America and the Caribbean. (n.d.). *Participatory platform of the Escazú Agreement*. <https://publicoescazu.cepal.org/en>.

3. Points to bear in mind regarding participation in the Regional Public Mechanism

- You need to register in order to participate in the participatory digital platform. By registering on the platform, you also gain access to the Regional Public Mechanism.
- The platform will establish the period for which surveys, consultations and other means of public participation will be available. Once this period has elapsed, access will no longer be possible.

- The email address provided is used to keep those who register informed and up-to-date.
- It is the responsibility of each individual to keep their email address up to date. If you change your email address, you will have to re-enrol on the participatory digital platform and register to receive information from the mechanism.
- Registered users of the Regional Public Mechanism will receive regular email newsletters with news, surveys and updates on the Escazú Agreement.
- States Parties and elected representatives of the public may also use the Regional Public Mechanism for their own activities, such as Party-led national participation initiatives or dissemination of information about meetings and events organized by representatives.



Bear in mind!

Everyone participating in the architecture or institutional mechanisms of the Escazú Agreement must abide by the *Code of conduct applicable to people attending the events of the Escazú Agreement (ECLAC, 2024a)*.

B. Elected representatives of the public

1. Who are the elected representatives of the public?

Why are they important?

The role of elected representative of the public originated in the negotiation process of the Escazú Agreement, when, in November 2014, the public was invited to nominate representatives to the Negotiating Committee. The first elected representatives of the public served from that point until 2022, actively participating in the negotiation and entry into force of the Escazú Agreement. Before the Agreement came into force, there were two primary representatives and four alternates. The number of representatives from 2022 to 2026 was set at six, two for each subregion.⁴

Elected representatives of the public are essential to strengthening the participation of the public in the implementation of the Escazú Agreement by coordinating and facilitating the action of individuals from the region in the formal bodies of the Agreement. This is in addition to direct participation by members of the public themselves.

⁴ A total of six representatives of the public are elected. To make up the total number, two are chosen from each of the following electoral subregions: subregion 1, comprising Argentina, Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Plurinational State of Bolivia and Uruguay; subregion 2, comprising Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago; and subregion 3, comprising Costa Rica, Cuba, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua and Panama.



Did you know?

To date, there have been two generations of elected representatives of the public:

- **First generation (2014–2022).** This generation participated in the pre-negotiation stage and in the negotiation process that culminated with the adoption of the Escazú Agreement in March 2018. They also participated in the first meeting of the Conference of the Parties in April 2022. The first elected representatives of the public were Danielle Andrade (Jamaica) and Andrea Sanhueza (Chile), as principals, and Karetta Crooks-Charles (Saint Lucia), Natalia Gómez (Colombia), Andrés Napoli (Argentina) and Tomás Severino (Mexico), as alternates.
- **Second generation (2022–2026).** This generation was elected on 2 and 3 November 2022, by means of the participatory platform of the Regional Public Mechanism, as established under the rules of procedure of the Conference of the Parties⁵, and will serve for four years. They have participated in various meetings and activities relating to the Escazú Agreement. The public representatives elected in November 2022 are: Mijael Kaufman (Argentina) and Joara Marchezini (Brazil) from subregion 1; Nicole Leotaud (Trinidad and Tobago) and Bishnu Tulsie (Saint Lucia) from subregion 2; and César Artiga (El Salvador) and Irene Murillo (Costa Rica) from subregion 3.

2. How are the public representatives elected?⁶

The rules of procedure of the Conference of the Parties to the Escazú Agreement (rule XIV, paragraph 3), adopted by virtue of decision I/1 of 22 April 2022, establish the Regional Public Mechanism as the channel through which the representatives of the public will be elected, in order to encourage and facilitate public participation and channel their contributions.

The electoral process is summarized in diagram II.2. Individuals registered with the Regional Public Mechanism constitute the electoral roll and, therefore, are eligible to participate in the elections. Registration is via the electronic platform established for this purpose by the Secretariat of the Escazú Agreement, in accordance with the Rules for the election of representatives of the public for the Escazú Agreement. Each voter has a single vote to cast among the available candidates. This reinforces the transparency and fairness of the process and strengthens the legitimacy of the representatives as spokespeople for the public in the multilateral spaces of the treaty.

Under the Rules for the election of representatives of the public for the Escazú Agreement, the two people who obtain the most votes in each of the three electoral subregions are elected as representatives. The two people elected for each subregion may not be of the same sex nor from the same country (national or resident). Ethnic and cultural diversity is encouraged among candidates, and gender equality is observed. To this end, the electoral process is widely and strategically disseminated among organizations, networks of organizations, and other relevant actors in each of the subregions in order to promote inclusive and equal participation.

Once the votes have been counted and the successful candidates have accepted their appointments, the names and contact details of the newly elected representatives of the public are published. When the election process opens, candidacies may be submitted by anyone meeting the following requirements:

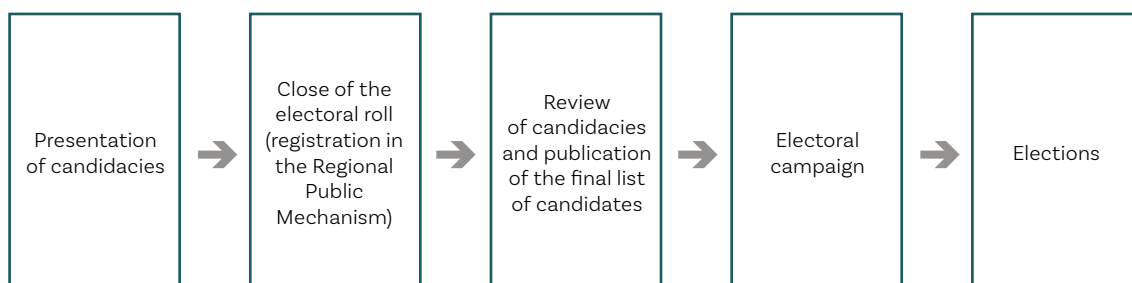
⁵ The last elections were held in 2022, with electronic voting via the ad hoc platform set up by the Secretariat of the Escazú Agreement. The Secretariat was also responsible for coordinating the elections, in accordance with the rules for the election of representatives of the public for the Escazú Agreement.

⁶ The Rules for the election of representatives of the public for the Escazú Agreement are available at <https://acuerdodeescazu.cepal.org/cop2/es/documentos/reglas-procedimiento-la-conferencia-partes>.

- Be a national or resident of a country of Latin America and the Caribbean of annex 1 of the Agreement, proving such status by means of a passport, identity card, residence permit or other authoritative means.
- Be registered in the Regional Public Mechanism, as certified by the Secretariat, by the closing date of the electoral register.
- Not be employed or have been employed in any branch of a State, whether national or subnational, in the 12 months prior to the election. Candidates must complete the affidavit contained in annex 2 of the rules to this effect.

Diagram II.2

Stages of the election process



Source: Economic Commission for Latin America and the Caribbean.

3. How does the public interact with its representatives?

Representatives communicate via email through the participatory platform of the Agreement’s Regional Public Mechanism and through social media or instant messaging groups. They can also be contacted directly by email.

Representatives also communicate through open virtual meetings, where they provide information, conduct consultations and engage in dialogue directly with individuals and organizations interested in participating in the consultation processes organized by the Secretariat of the Escazú Agreement and other activities they may organize. They also actively participate in formal spaces, such as the Conference of the Parties, and disseminate informational documents and press releases. Their connection with the public is also strengthened via their participation in national and regional events, forums and meetings organized by States or the public.

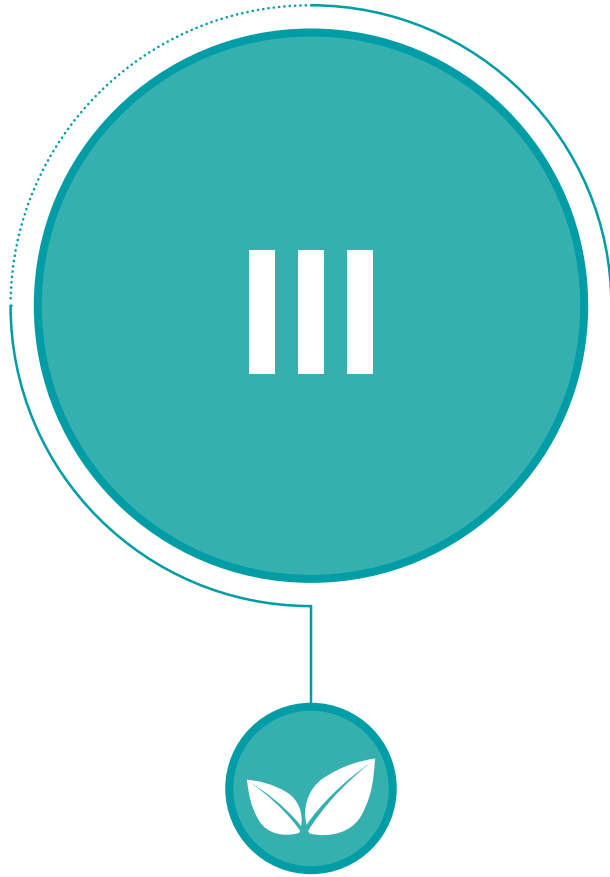
4. What are the role and functions of elected representatives of the public?

The main tasks of elected representatives are:

- To encourage and facilitate participation by the public, and
- To represent the public in various instances of the Escazú Agreement, such as the Conference of the Parties, the Presiding Officers of the Escazú Agreement,⁷ the Committee to Support Implementation and Compliance and other subsidiary bodies and meetings in the framework of the Agreement.

⁷ One of the representatives of the public is chosen by consensus among their peers to serve among the Presiding Officers.

As appropriate, representatives may also promote the ratification, accession and implementation processes of the Escazú Agreement in the countries listed in annex 1. The functions of representatives do not exclude or impede the direct participation of members of the general public, who may always make use of the participation modalities throughout the architecture and institutional mechanisms of the Escazú Agreement described in the next chapter.



The public and the institutional mechanisms of the Escazú Agreement

A. The public and the Conference of the Parties to the Escazú Agreement

1. What is the Conference of the Parties? Why is it important?

The Conference of the Parties is established by virtue of article 15 of the Escazú Agreement. It is the foremost and supreme decision-making body of the Agreement, which convenes all States Parties on a regular basis, and has the mandate to review, evaluate and promote its implementation and effectiveness on an ongoing basis (ECLAC, 2023).

The States Parties take decisions in relation to the Agreement at the meetings of the Conference of the Parties. As such, States make every effort to reach agreement by consensus, i.e. without opposition, bearing in mind that each State Party has one vote. If all efforts to reach consensus fail, decisions on matters of substance may be taken by a three-fourths majority vote of the Parties present and voting at the meeting. Decisions on procedural matters are taken by a majority vote of the Parties present and voting. If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.⁸

The Conference of the Parties meets at least once every two years, although extraordinary meetings may be held.⁹ To date, the Conference of the Parties has held three meetings, at which the States Parties have taken important decisions (see table III.1).

Table III.1

Decisions of the Conference of the Parties to the Escazú Agreement

First meeting of the Conference of the Parties ECLAC headquarters in Santiago, 20– 22 April 2022 ^a	Second meeting of the Conference of the Parties (extraordinary) Buenos Aires, 19–21 April 2023 ^b	Third meeting of the Conference of the Parties ECLAC headquarters in Santiago, 22–24 April 2024 ^c
Decision I/1: Rules of procedure of the Conference of the Parties	Decision II/1: Election of members of the Committee to Support Implementation and Compliance	Decision III/1: National implementation
Decision I/2: Election of Presiding Officers	...	Decision III/2: Action Plan on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean and annex 1
Decision I/3: Rules relating to the structure and functions of the Committee to Support Implementation and Compliance	...	Decision III/3: National focal points of the Parties
Decision I/4: Financial arrangements	...	Decision III/4: Mainstreaming the gender perspective

⁸ Rule XI, paragraphs 1, 2, 3, 4 and 6, of the Rules of procedure of the Conference of the Parties (ECLAC, 2022d).

⁹ Rule III, paragraphs 2 and 4, of the Rules of procedure of the Conference of the Parties (ECLAC, 2022d).

First meeting of the Conference of the Parties ECLAC headquarters in Santiago, 20– 22 April 2022 ^a	Second meeting of the Conference of the Parties (extraordinary) Buenos Aires, 19–21 April 2023 ^b	Third meeting of the Conference of the Parties ECLAC headquarters in Santiago, 22–24 April 2024 ^c
Decision I/5: Subsequent meetings of the Conference of the Parties	...	Decision III/5: Next meeting of the Conference of the Parties
Decision I/6: Human rights defenders in environmental matters	...	Decision III/6: Election of Presiding Officers

Source: Economic Commission for Latin America and the Caribbean.

^a See more information at: <https://acuerdodeescazu.cepal.org/cop1/en>.

^b See <https://acuerdodeescazu.cepal.org/cop2/en>.

^c See <https://acuerdodeescazu.cepal.org/cop3/en>.

2. What are the rules of procedure of the Conference of the Parties to the Escazú Agreement and why are they important for participation?

The rules of procedure of the Conference of the Parties were adopted by the States Parties at the first meeting of the Conference and are the set of rules that govern the operation, proceedings and decision-making of the Conference of the Parties (ECLAC, 2022d).

The public may participate in the meeting of the Conference of the Parties in accordance with these rules of procedure, either directly or through representatives of the public. In both cases, individuals have the right to speak but not to vote. These rules are important because they establish the modalities for public participation in the Conference of the Parties and apply to both in-person and virtual meetings. According to these rules, the public may:

- Participate in the meetings of the Conference of the Parties after prior registration and confirmation by the Secretariat. For in-person meetings, registrations are accepted according to the order of registration and with no limitation other than the space available in the meeting room.
- Have access to all official information and documents.
- Make statements, according to the rules of procedure (see diagram III.1 on public participation before, during and after meetings of the Conference of the Parties).
- Distribute documents and make oral and written contributions.
- Formulate written language proposals, which must be compiled in a separate document, collected and formally submitted by at least one Party for consideration for inclusion in the negotiation of an official text of the Conference of the Parties.
- Organize side events, dialogues and discussions, in coordination with the Secretariat and the Presiding Officers.

It is important to note that the rules of procedure of the Conference of the Parties also apply to subsidiary bodies, subject to any necessary adjustments by virtue of their nature and functions.¹⁰

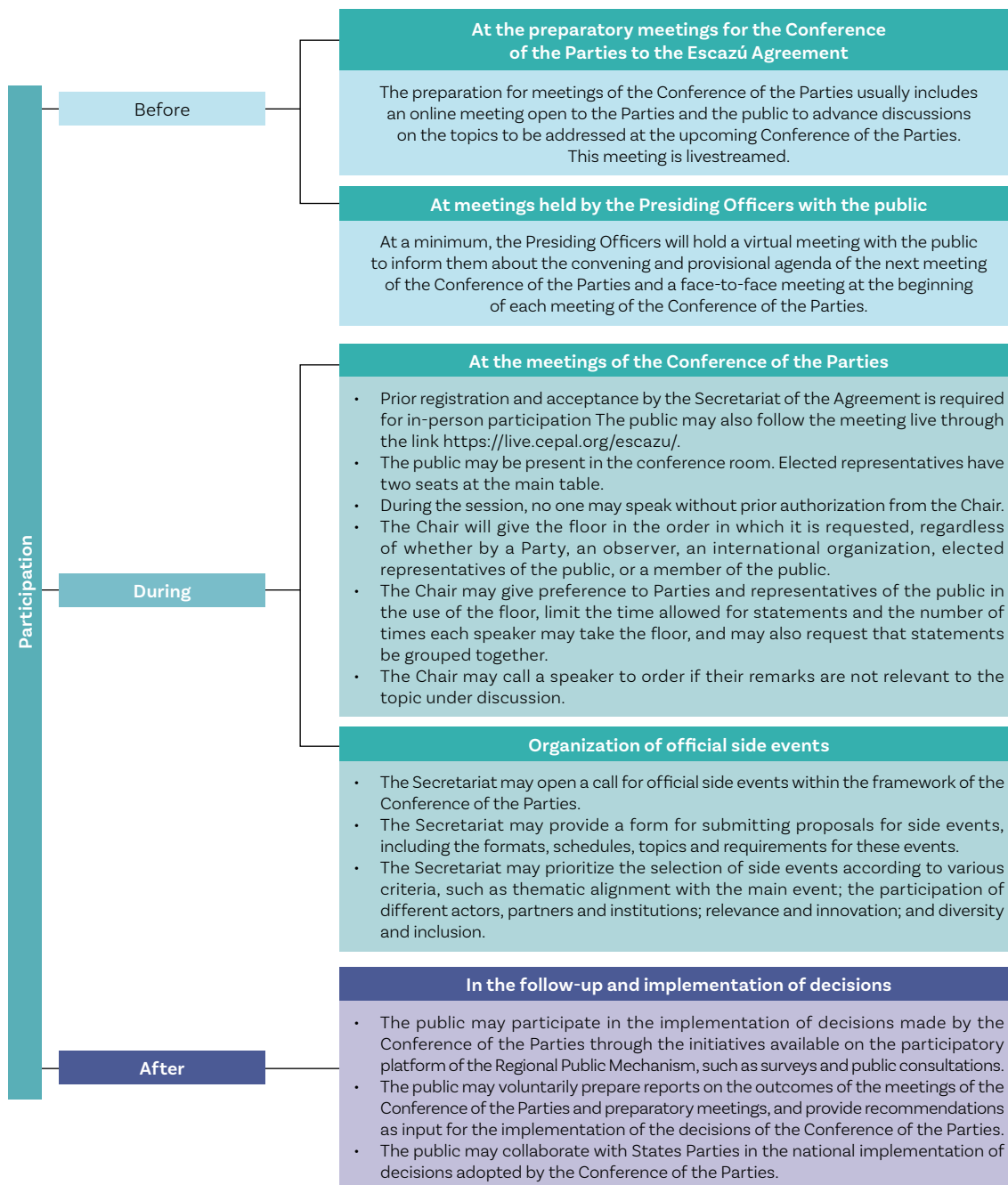
¹⁰ Rule VIII, paragraph 2, of the rules of procedure of the Conference of the Parties (ECLAC, 2022d).

3. How does the public participate?

Diagram III.1 shows the ways in which the public participates in the meetings of the Conference of the Parties.

Diagram III.1

Public participation before, during and after meetings of the Conference of the Parties to the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean.



Registration procedure for in-person public participation in the Conference of the Parties to the Escazú Agreement

- Before the respective meeting of the Conference of the Parties, the Secretariat will set up an online registration system for participants on the ECLAC website.
- Following submission of the registration request, the applicant will receive an automated email confirming receipt and indicating that the Secretariat will process it as soon as possible. Receipt of this automated email does not constitute acceptance of registration for the Conference of the Parties.
- Only once the application has been reviewed, an email will be sent indicating whether it has been approved or rejected.
- Given limited space at events, the Secretariat may open a waiting list once the number of places for the public has been filled.
- If the registration request has not yet been processed, the waiting list will move forward according to registration date and as other members of the public whose request had been approved withdraw their registration.
- Approved applications are personal and non-transferable. Anyone unable to attend in person must notify the Secretariat by email (secretaria.escazu@cepal.org).
- Failure to attend the event after acceptance for in-person attendance, without giving prior notice to the Secretariat, will be duly noted in the registration and participation record and taken into account for registration in future events organized by the Secretariat.
- Accreditation of up to two representatives per organization is advised.
- The following are common grounds for rejection of registration: (i) incorrect completion of the registration form; (ii) completion of the wrong registration form; (iii) registration of more than two representatives of the same organization; (iv) having been accepted to attend a previous meeting of the Conference of the Parties and having failed to attend without giving prior notice to the Secretariat; and (v) maximum capacity of the meeting room attained with registrations already approved.
- In-person participants must abide by the Code of conduct applicable to people attending the events of the Escazú Agreement (ECLAC, 2024a).
- Meetings may be followed online via livestreaming through <https://live.cepal.org/escazu/>.

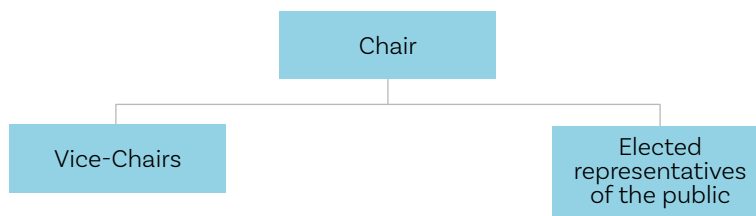
B. The public and the Presiding Officers of the Conference of the Parties to the Escazú Agreement

1. Who are the Presiding Officers? Why are they important?

The Presiding Officers support the functioning of the Conference of the Parties and the Escazú Agreement in general. Together with the Secretariat, they are responsible for the ongoing operation of the Agreement and the implementation of the decisions of the Conference of the Parties. They comprise a Chair and four Vice-Chairs, elected by the Conference of the Parties, and one elected representative of the public, who has a voice but not a vote at meetings. The make-up of the Presiding Officers is shown in diagram III.2.

Diagram III.2

Composition of the Presiding Officers of the Conference of the Parties to the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean.

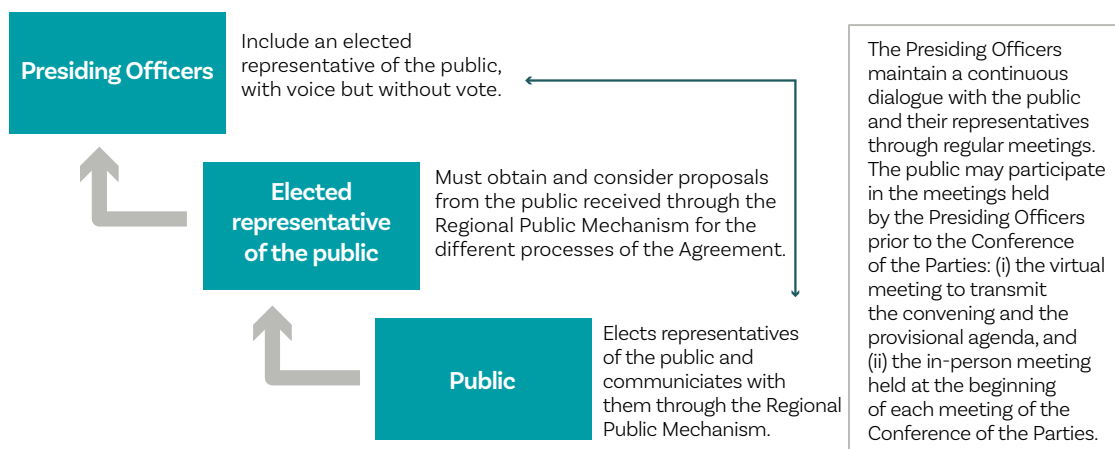
The Presiding Officers are important because they chair the meetings of the Conference of the Parties. In consultation with the Presiding Officers, the Secretariat prepares the documentation for the meetings of the Conference of the Parties, including working documents and annotated provisional agendas, with their corresponding objectives and items for discussion.¹¹ Where appropriate, the Presiding Officers also prepare the roster of nominations submitted for the Committee to Support Implementation and Compliance. The Presiding Officers meet at least once every six months, preferably virtually. Regarding public participation, in addition to including an elected representative of the public, the Presiding Officers maintain a continuous dialogue with the public and with those representatives designated by the public, holding regular joint meetings.¹²

2. How does the public participate?

The public, through its elected representatives, has a voice, but not a vote, in the meetings of the Presiding Officers (see diagram III.3).

Diagram III.3

Public participation in the Presiding Officers of the Conference of the Parties to the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean.

¹¹ Rule V, paragraph 1 of the rules of procedure of the Conference of the Parties (ECLAC, 2022d).

¹² Rule VII, paragraph 7, of the rules of procedure of the Conference of the Parties (ECLAC, 2022d).

C. The public and the Committee to Support the Implementation and Compliance of the Escazú Agreement

1. What is the Committee? Why is it important?

The Committee to Support the Implementation and Compliance was established by virtue of article 18 of the Escazú Agreement. It is a subsidiary body of the Conference of the Parties whose purpose is to promote the implementation of the Agreement and support the Parties in that regard. The Committee is of a consultative and transparent nature, non-adversarial, non-judicial and non-punitive, and is composed of seven members, who serve in their personal capacity, elected by the Conference of the Parties from a roster submitted by the Presiding Officers.

The Committee is important because it supports the implementation and fulfilment of the provisions of the Agreement. To that end, it supports the Conference of the Parties, the Parties, and the public.

2. What are the rules relating to the structure and functions of the Committee to Support Implementation and Compliance, and why are they important?

The rules relating to the structure and functions of the Committee to Support Implementation and Compliance are the set of rules governing the Committee's structure, composition and execution of activities,¹³ and they were adopted at the first meeting of the Conference of the Parties to the Agreement.

Regarding public participation, the rules relating to the structure and functions of the Committee to Support Implementation and Compliance are important because they enshrine participation in the election of its members and in the Committee's functions. With respect to the first aspect, any person may submit their candidacy to the Committee in accordance with the established requirements. It is also established that the Presiding Officers shall prepare a roster of up to 10 candidates, for consideration by the Conference of the Parties and will invite elected representatives of the public to participate in a meeting where this roster will be reviewed before being considered by the Conference of the Parties.¹⁴

These rules are detailed in the working modalities, which are prepared and adopted by the Committee.

¹³ Available in ECLAC (2022b).

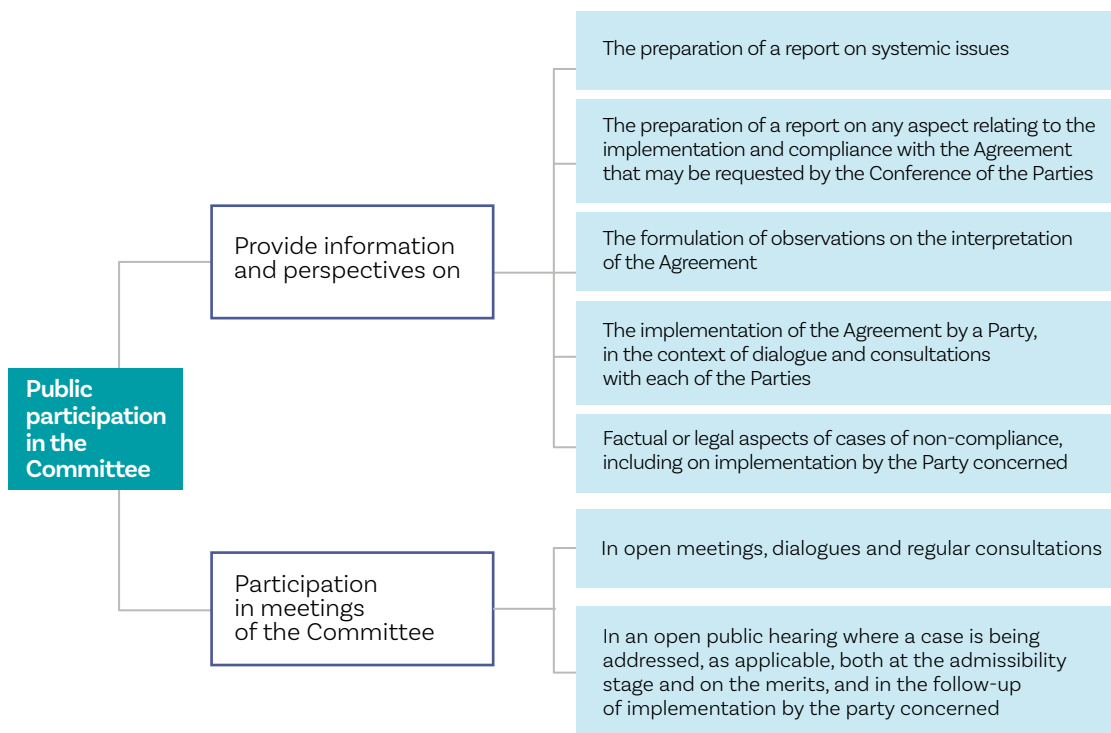
¹⁴ Rule II, paragraph 5(b) of the Rules relating to the structure and functions of the Committee to Support Implementation and Compliance.

3. How does the public participate?

Diagram III.4 shows the forms of participation available to the public in the work of the Committee to Support Implementation and Compliance.

Diagram III.4

Public participation in the Committee to Support the Implementation and Compliance of the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean. (2022). *Rules relating to the structure and functions of the Committee to Support Implementation and Compliance* (LC/COP-EZ.1/5).

Anyone may submit their candidacy to serve on the Committee to Support Implementation and Compliance, provided they are persons of high moral standing, with recognized competence in access rights or other matters of the Agreement. They must be nationals of or residents in the countries set out in annex 1 to the Agreement and be independent from the executive, legislative or judicial powers of such countries. The Presiding Officers will draw up a roster of up to 10 candidates and submit it for consultation with the elected representatives of the public. The Presiding Officers will then make the roster available to the Conference of the Parties for consideration and election of the Committee members by consensus.¹⁵

¹⁵ Rule II, paragraphs 2 and 5 of the Rules relating to the structure and functions of the Committee to Support Implementation and Compliance.

Members of the public may submit communications to the Committee requesting support for compliance with one or more provisions of the Agreement, or alleging non-compliance.¹⁶ The public may also submit written comments on cases filed by States Parties and other members of the public, and may assist other members of the public in bringing cases. Furthermore, elected representatives of the public may consult the Committee on the interpretation of the Agreement.¹⁷ The Committee may call upon technical or legal experts and bodies, including academic centres or non-governmental bodies.¹⁸

The Committee may also hold open dialogues with the public on any agreed item, and will inform the public of the place and date of such dialogue and facilitate participation by means of a public invitation.



How can the public participate in open meetings of the Committee to Support Implementation and Compliance?

- All Committee meetings are open unless otherwise stated.
- Go to the Committee’s web page and click on “**Sessions**”.
- Click on “**Next dates**” and fill out the registration form, for the session, whether in-person or virtual.
- For in-person sessions, it is important to bear in mind that:
 - (i) Registration will be open for a given period, and once this has elapsed, no further registrations will be accepted.
 - (ii) Since meeting room capacity is limited, once the number of available spots for the public is filled, a waiting list will be opened.
 - (iii) Following submission of the registration request, the applicant will receive an automated email confirming receipt and indicating that the Secretariat will process it as soon as possible. Receipt of this automated email does not constitute acceptance of registration for the session.
 - (iv) Only once the application has been reviewed, an email will be sent indicating whether it has been approved or rejected.
 - (v) Approved applications are personal and non-transferable. If you are unable to attend in person, you must notify the Secretariat by email (secretaria.escazu@cepal.org).
 - (vi) Failure to attend after approval of registration, without giving prior notice to the Secretariat, will be duly noted and taken into account for other events organized by the Secretariat.
 - (vii) Accreditation of up to two representatives per organization is advised.

¹⁶ The procedure for submitting communications to the Committee is explained in the video available at: Economic Commission for Latin America and the Caribbean. (2025, 10 March). *Video explicativo de la página web del CAAC del Acuerdo de Escazú* [Video]. Youtube. <https://www.youtube.com/watch?v=Yc3p3tt7tQc>. See ECLAC (2025c).

¹⁷ Rule IV, paragraph (c)(ii) of the Rules relating to the structure and functions of the Committee to Support Implementation and Compliance.

¹⁸ Rule V, paragraphs 1 and 7(a)(ii) and rule VII, paragraph 2 of the Rules relating to the structure and functions of the Committee to Support Implementation and Compliance.



How is information submitted to the Committee?

- Go to the website and navigate to the section where you wish to submit information: Reports, Sessions (as part of periodic consultation and dialogue with the Parties), or Communications repository.
- To submit information related to the preparation of reports or in the context of consultation and dialogue with the Parties, you can use the form made available by the Committee and attach relevant documents and materials. Information must be submitted within the established deadline.
- In the case of communications, once they are declared admissible, a period of two months from the date of admissibility is granted for members of the public to submit written comments via the Communications repository on the website.

D. The public and the clearing house

1. What is the clearing house? Why is it important?

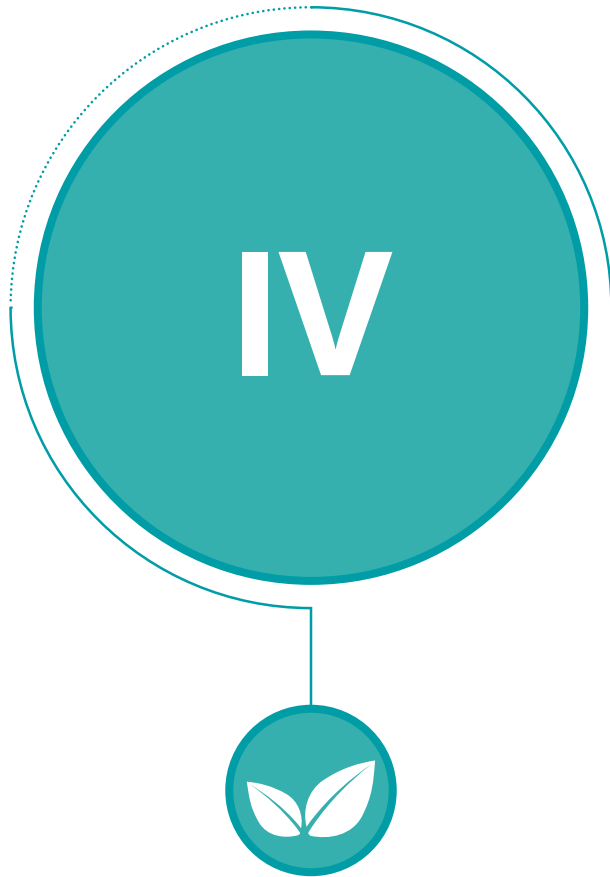
The clearing house, established under article 12 of the Agreement, is a virtual and universally accessible platform containing information on the rights of access to information, participation and justice in environmental matters in the 33 countries of Latin America and the Caribbean. Operated by the Secretariat of the Agreement, it may include legislative, administrative and policy measures, codes of conduct and good practices, among other resources.

2. How does the public participate?

The public can obtain and contribute information through the website of the Observatory on Principle 10 in Latin America and the Caribbean.¹⁹

Members of the public can submit information on progress in the implementation of access rights in Latin America and the Caribbean in the “Contact” section, by filling out a short form with their name, email address, subject and tenor of the contribution.

¹⁹ Economic Commission for Latin America and the Caribbean. (2025). *Observatory on Principle 10 in Latin America and the Caribbean*. <https://observatoriop10.cepal.org/en>.



**The public and other bodies
and processes of the
Escazú Agreement**

As regional implementation of the Escazú Agreement has progressed, the Conference of the Parties has adopted key decisions to crystallize its spirit and provisions. Thus far, decisions have been adopted on human rights defenders in environmental matters, as well as on the application of a gender perspective within the framework of the treaty. As will be seen below, both decisions have fostered public participation processes, and similar processes will continue to be initiated as other decisions require.

A. Action Plan on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean

Under Article 9 of the Escazú Agreement, important decisions have been adopted to protect human rights defenders in environmental matters and to promote their work. In 2024, at its third meeting (see section 3A on meetings of the Conference of the Parties) and by virtue of decision III/2, the Conference of the Parties to the Escazú Agreement adopted the Action Plan on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean (hereinafter “Action Plan”). The Action Plan is a regional instrument aimed at advancing towards the full and effective implementation of article 9, more specifically, at materializing the three sets of obligations it enshrines, namely: guaranteeing a safe and enabling environment for human rights defenders in environmental matters; recognizing, protecting and promoting their rights; and, finally, investigating and punishing attacks, threats or intimidation against them.

In order to materialize these obligations under article 9, the Action Plan includes four priority areas, each associated with various strategic measures. Area A seeks to “create more knowledge, raise awareness and disseminate information on the situation, rights and role of persons, groups and organizations that promote and defend human rights in environmental matters in Latin America and the Caribbean, as well as on the existing prevention, protection and punishment instruments” (ECLAC, 2025d, p. 37). The measures within this area include the preparation of a regional assessment of the situation of human rights defenders in environmental matters, a pioneering effort in the region (ECLAC, 2025b, p. 3-7).

The objective of area B is to “publicly recognize the work and contribution of persons, groups and organizations that promote and defend human rights in environmental matters” (ECLAC, 2025d, p. 37). This area includes measures aimed at raising awareness and dissemination campaigns on the work of human rights defenders in environmental matters, as well as activities to commemorate and recognize human rights defenders for their contributions to the promotion and protection of the environment (ECLAC, 2025b, p. 8-11).

Area C proposes to “Contribute, through capacity-building and cooperation, to the formulation and implementation by institutions of various laws, policies, plans, programmes or measures at the national, subnational or other levels for the recognition, protection and promotion of the rights of persons, groups and organizations that promote and defend human rights in environmental matters” (ECLAC, 2025d, p. 38). This area includes strategic measures such as capacity-building for institutions that provide pro bono legal assistance to human rights defenders in environmental matters and the creation of forums for training and exchange of good practices between authorities responsible for preventing, investigating and punishing violations (ECLAC, 2025b, p. 12-18).

Lastly, under area D on implementing measures for “evaluation, follow-up and review of the action plan” (ECLAC, 2025d, p. 39), States are called upon to be accountable for the implementation of the Plan, through periodic reports and progress updates (ECLAC, 2025b, p. 18-19).

1. Open-ended ad hoc working group on human rights defenders in environmental matters

The Action Plan was prepared by the open-ended ad hoc working group on human rights defenders in environmental matters. This group was created by virtue of decision I/6 of the first meeting of the Conference of the Parties to the Escazú Agreement (ECLAC, 2022c). According to the decision, the working group should allow for “meaningful public participation, especially by indigenous peoples and local communities, endeavouring to include persons or groups in vulnerable situations” (ECLAC, 2022c, p. 52). To this end, the working group has launched several public consultations around the development and implementation of the Action Plan. News of these calls for participation is posted on the ECLAC website, although the most direct way is to register an email address in the Regional Public Mechanism, as registered users receive immediate email notifications when public consultations are opened.

2. Forum on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean

The Forums on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean were established to support the Action Plan and foster regional dialogue on these matters. They serve as a platform for public participation and discussion at the regional level, where the challenges faced by environmental defenders are presented and pathways and proposals for addressing these issues are explored. Between 2022 and 2024, Forums were held annually in accordance with decision I/6. From 2025 to 2030, the Forums will be held every two years, pursuant to decision III/2.

Participation in the Forum is open, meaning that anyone can register, whether or not their State is a Party to the Agreement. This includes both the general public and State actors. Upon acceptance of registration, an individual is authorized to participate in person. Opening of registration is advised on the ECLAC website and the Regional Public Mechanism.

The Forum can be followed via livestream available at <https://live.cepal.org/escazu/>. Forums are not limited to plenary sessions or panels; they also typically include discussions in breakout or working groups. Given the technical complexities, it is not always possible to ensure the same level of virtual and in-person participation. However, regardless of whether participation is virtual or in-person, all contributions are given due consideration in the process.

The instructions and participation guidelines for each specific meeting should be carefully read once registration opens. It is also worth noting that preparatory activities are often organized online and, occasionally, in person in advance of the Forum. These activities also serve to gather input on the topics to be discussed.

3. Implementation programme of the Action Plan

In order to facilitate the implementation of the Plan, a programme was presented in April 2025 specifying activities or outputs for each strategic measure, the primary responsibility for its implementation, the respective time frames (ongoing; short-term, between 2025 and 2026; medium-term, between 2027 and 2028; or long-term, between 2029 and 2030), and the level of application (regional, national, federal, subnational or local).

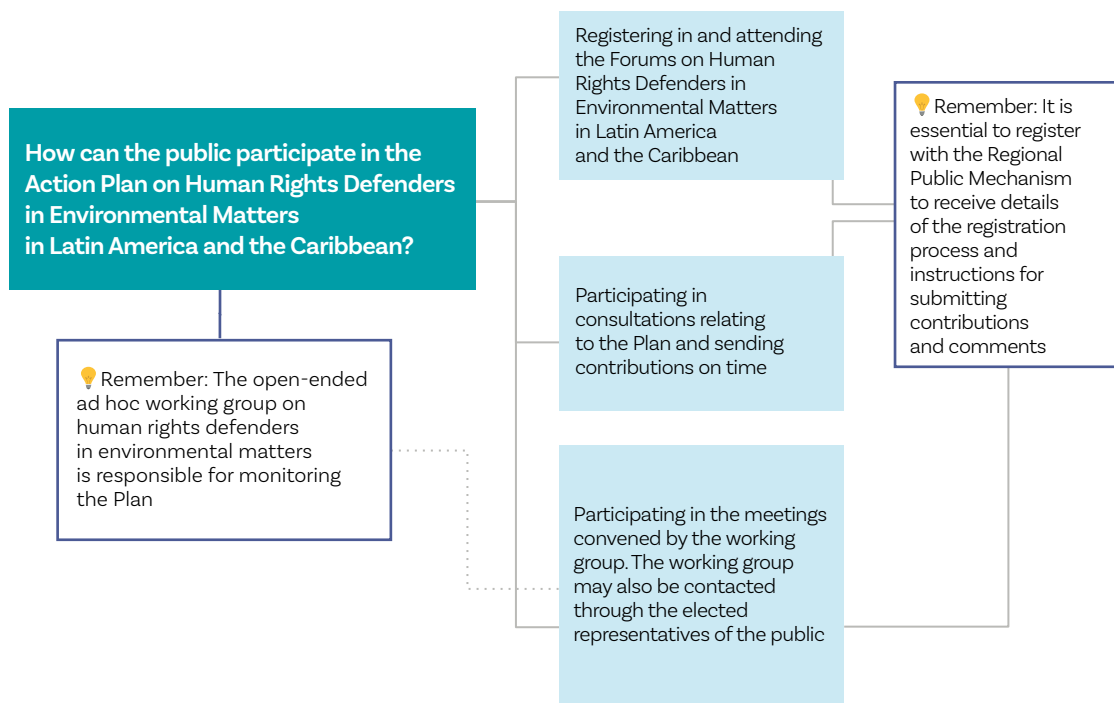
The initial proposal for the implementation programme was prepared by the coordinators of the open-ended ad hoc working group on human rights defenders in environmental matters. Prior to its final adoption, it received inputs and contributions from the public by means of a public consultation carried out via the participatory platform of the Regional Public Mechanism (ECLAC, 2025b).

- How was public participation involved in the preparation of the Plan and its implementation programme?

The working group was tasked with drafting the Action Plan by virtue of decision I/6 of the first meeting of the Conference of the Parties to the Escazú Agreement. Thereafter, between 2023 and 2024, the group developed a participatory strategy that included open consultations, both in person and online, aimed at any interested party wishing to contribute to the Plan. Comments and input –aimed at improving the initial drafts of both the annotated index of the Plan and the full text of the Plan itself– were received via the participatory platform of the Regional Public Mechanism. Once the Plan was adopted by decision III/2 of the third meeting of the Conference of the Parties in 2024, the working group organized another consultation on the proposed implementation programme in early 2025. The programme was formally presented at the Forum on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean in April that year. Diagram IV.1 summarizes the ways in which the public can participate in the Action Plan.

Diagram IV.1

Participation by the public in the implementation of the Action Plan on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean



Source: Economic Commission for Latin America and the Caribbean.

B. Mainstreaming of the gender perspective

1. Guide to mainstreaming the gender perspective in the implementation of the Escazú Agreement

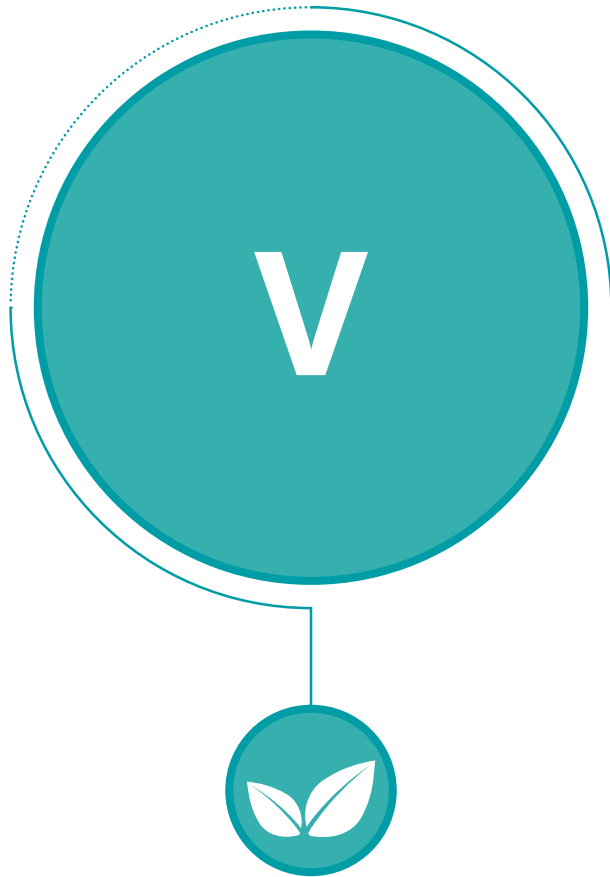
By virtue of decision III/4 of the third meeting of the Conference of the Parties on “mainstreaming the gender perspective”, the Secretariat was requested to prepare, “with the support of the United Nations Entity for Gender Equality and the Empowerment of Women and other agencies, funds and programmes of the United Nations, a guide on mainstreaming the gender perspective in the implementation of the Escazú Agreement” (ECLAC, 2025d, p. 44).

- What is the Guide and how does it support women’s participation?

The Guide seeks “to provide information, guidance and options for actions and strategic measures for States Parties to integrate and strengthen the gender perspective in the implementation of the Escazú Agreement, both at the national and regional levels, and thus strengthen the exercise of access rights and the work of environmental protection exercised by women in Latin America and the Caribbean” (ECLAC, 2025a, p. 2).

- How did the public participation process unfold in the preparation of the Guide?

In early 2025, the Secretariat of the Agreement initiated a public consultation process divided into three stages. In the first, contributions and input were sought from the States Parties, United Nations system agencies, and the public through a questionnaire. The information obtained was used to prepare the *Preliminary proposal for an annotated index: guide for the mainstreaming of the gender perspective in the implementation of the Escazú Agreement*. During a second stage, a consultation was organized to gather input regarding the proposed annotated index. Finally, a full draft of the guide was prepared and submitted for a third and final consultation phase (ECLAC, 2025a, p. 3). The final text of the guide is to be presented at the fourth meeting of the Conference of the Parties to the Escazú Agreement, which will take place in 2026 (ECLAC, 2025d, p. 44).



**Public participation in the national
implementation of the
Escazú Agreement**

A. General considerations

With regard to the implementation of the Escazú Agreement at the national level, three articles of the Agreement are to be recalled (ECLAC, 2022a):

- (i) Article 4.3, on general provisions: Each State Party “shall adopt the necessary measures, of a legislative, regulatory, administrative or any other nature, in the framework of its domestic provisions, to guarantee the implementation of the provisions of the present Agreement”.
- (ii) Article 10.1, on capacity-building: “In order to contribute to the implementation of the provisions of the present Agreement, each Party undertakes to create and strengthen national capacities, based on its priorities and needs”.
- (iii) Article 13, on national implementation: “Each Party, to the extent of its ability and in accordance with its national priorities, commits to provide the resources for national activities that are needed to fulfil the obligations derived from the present Agreement”.

The implementation of the Escazú Agreement presents a set of challenges that depend on national contexts and circumstances. In this regard, the Secretariat of the Escazú Agreement has created two tools to facilitate collaboration with the States Parties in their implementation process, according to their capacities and priorities: (i) the Escazú Agreement implementation guide and (ii) a reference methodological framework for developing road maps.

B. Implementation guide of the Escazú Agreement

- What are the objectives and scope of the Escazú Agreement implementation guide?

This guide is a support tool for both States Parties and the public, providing “guidance, information, and different [...] options” for understanding and implementing the Escazú Agreement (ECLAC, 2023, p. 15). It is important to note that, as a guide, it should be considered a reference document that facilitates and illustrates how the various provisions and concepts of the Escazú Agreement can be addressed. Therefore, it is not intended to establish a definitive legal interpretation of the provisions of the Agreement (ECLAC, 2023, p. 15).

C. Road maps

- What are road maps and what are they used for?

Road maps are a planning tool used to establish strategic and priority measures for advancing the implementation of the Escazú Agreement. Their core objective is to lay the groundwork for a set of substantive matters and procedures that will allow the State Party to begin implementing the Agreement. Diagram V.1 shows the steps of the road map.

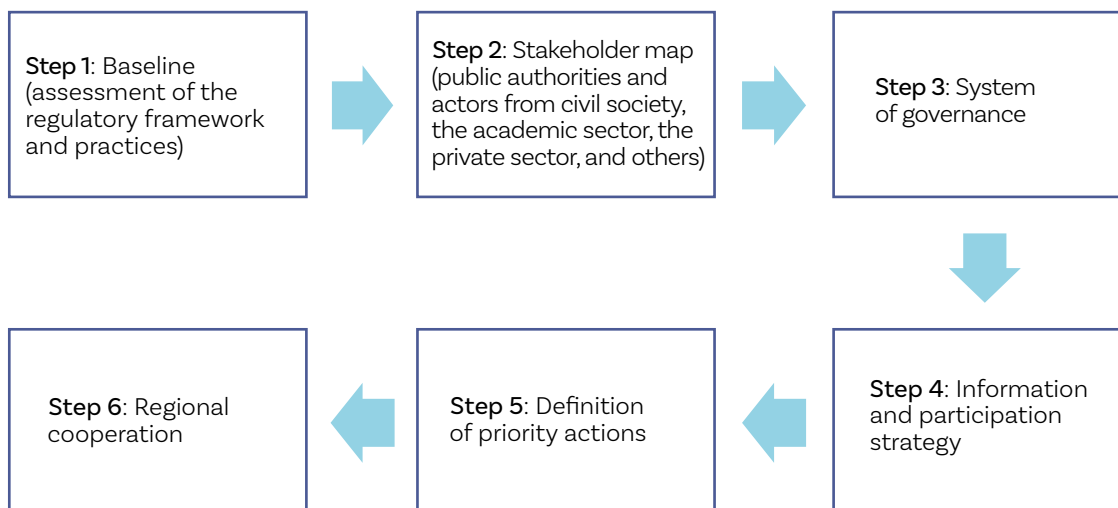
- How can the public participate at the national level in the development of the road map for the implementation of the Escazú Agreement?

Participation occurs at two points: during the development of the road map and during its implementation. One of the steps involved in the road map is developing an information and participation strategy to inform stakeholders that a road map for implementing the Escazú Agreement is being prepared.

First, information needs to be provided on the steps involved in developing the road map to ensure overall understanding of the process. Second, the final draft of the baseline on the legal framework and national practices related to the provisions of the Escazú Agreement is published to seek public comments and then organize a consultation process on the government’s proposed priority measures to improve implementation of the Agreement.

Diagram V.1

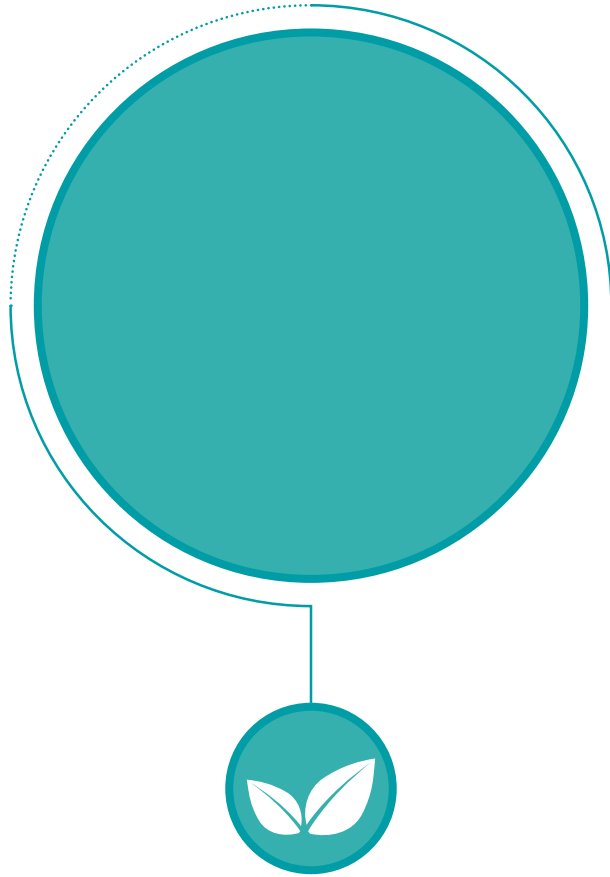
Steps to be completed in the development or design of road maps for the implementation of the Escazú Agreement



Source: Economic Commission for Latin America and the Caribbean.

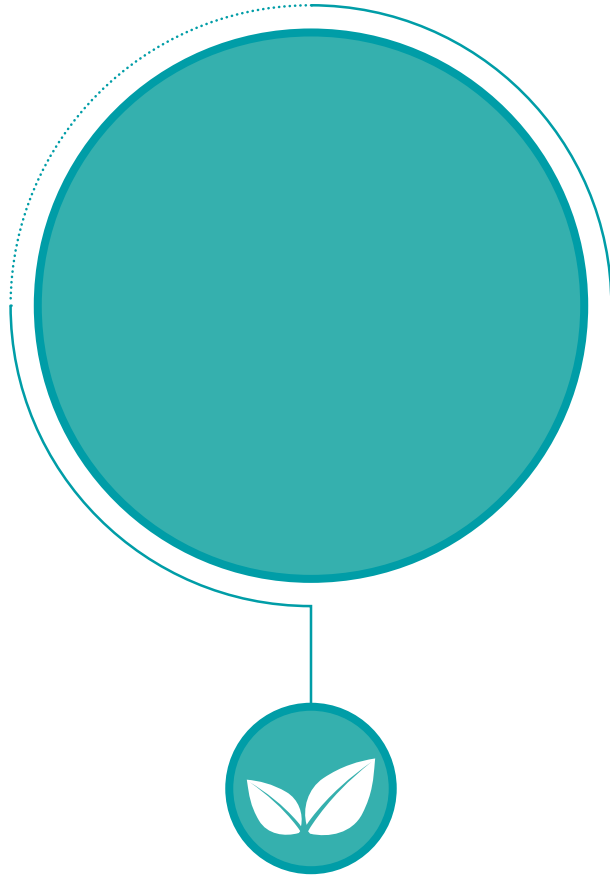
This proposal for priority measures is presented to the public through various channels, such as in-person and virtual workshops, and comments are collected on institutional websites. The in-person workshop includes public officials, civil society organizations, the academic sector, the private sector and any individual or organization interested in the Escazú Agreement. The workshop should present the proposed priority measures and gather input and comments. Following the workshop and other input-gathering activities, contributions are systematically categorized, and the resulting information is used by the government to inform decisions regarding the priority measures that will ultimately make up the road map. The final version of the set of priority measures is then made publicly available.

Meanwhile, the governance system should offer a strategic and operational framework with standards of transparency and participation for setting up one or more bodies, such as commissions, committees, round tables, forums and working groups, to facilitate the interaction and necessary coordination among the various public, social and private actors involved in the implementation of the Escazú Agreement.



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Annexes

Annex A1

Glossary

A

“Access rights”: the right of access to environmental information, the right of public participation in the environmental decision-making process and the right of access to justice in environmental matters (article 2 of the Escazú Agreement).

C

“Clearing house”: contains information on the rights of access to information, participation and justice in environmental matters in the 33 countries of Latin America and the Caribbean. It is operated by the Secretariat of the Agreement and may include, inter alia, legislative, administrative and policy measures, codes of conduct and best practices (article 12 of the Escazú Agreement).

“Committee to Support Implementation and Compliance”: a subsidiary body of the Conference of the Parties whose purpose is to promote the implementation of the Agreement and support the Parties in that regard. It is of a consultative and transparent nature, non-adversarial, non-judicial and non-punitive (article 18 of the Escazú Agreement).

“Conference of the Parties”: the foremost and supreme decision-making body of the Agreement, which convenes all States Parties on a regular basis, with the mandate to review, evaluate and promote its implementation and effectiveness on an ongoing basis (ECLAC, 2023).

E

“Elected representatives of the public”: an additional role for direct participation by the public, in order to coordinate and facilitate participation by the public in the region in the various instances of the Agreement.

“Entry into force”: the Escazú Agreement entered into force after the deposit of the eleventh instrument of ratification, acceptance, approval or accession, that is, on 22 April 2021. For each new State that ratifies, accepts or approves the present Agreement or accedes thereto, the Agreement shall enter into effect on the ninetieth day after the date of deposit by such State of its instrument of ratification, acceptance, approval or accession (article 22 of the Escazú Agreement).

“Escazú Agreement”: the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. It was adopted in Escazú (Costa Rica) on 4 March 2018 and has been in force since 22 April 2021.

I

“Implementation at the national level”: the core of the treaty’s effectiveness, which generally places ultimate responsibility for compliance with its provisions on each Party. Each Party is therefore responsible for fulfilling its obligations and taking the necessary measures to ensure compliance. By implementing the treaty, the Parties give it effect within their national legal systems (ECLAC, 2022a, p. 38).

P

“Persons or groups in vulnerable situations”: those persons or groups that face particular difficulties in fully exercising the access rights recognized in the present Agreement, because of circumstances or conditions identified within each Party’s national context and in accordance with its international obligations (article 2 of the Escazú Agreement).

“Presiding Officers”: a support structure for the functioning of the Conference of the Parties and the Agreement in general. Together with the Secretariat, the Presiding Officers are responsible for the ongoing operation of the Agreement and the implementation of the decisions of the Conference of the Parties. They comprise a Chair and four Vice-Chairs, elected by the Conference of the Parties, and one elected representative of the public, who participates with voice but without vote.

“Public”: one or more natural or legal persons and the associations, organizations or groups established by those persons, that are nationals or that are subject to the national jurisdiction of the State Party (article 2 of the Escazú Agreement).

R

“Regional Public Mechanism”: a mechanism created by mandate of the Conference of the Parties and maintained by the Secretariat, with the purpose of informing the public, facilitating their participation and coordinating their involvement in meetings of the Escazú Agreement, thus contributing to the transparency of the process.

S

“Secretariat”: the body responsible for providing technical, administrative and logistical support for the implementation and operation of the Escazú Agreement. ECLAC serves as the Secretariat of the Escazú Agreement, as established in article 17 of the treaty itself. ECLAC also served as Technical Secretariat during the preparatory and negotiation phases of the Agreement (2012-2018).

Annex A2

Summary of the roles of the different bodies of the Escazú Agreement and their interaction with the public

The following tables set out the various actors, as well as the members of the different bodies that make up the architecture and institutional mechanisms of the Escazú Agreement.

Table A2.1

Conference of the Parties to the Escazú Agreement

Actor	Roles	How do they interact with the public?
Presiding Officers	<ul style="list-style-type: none"> - They are responsible for presiding over the meetings of the Conference of the Parties. To maintain order at the meetings, the Chair of the Presiding Officers opens and adjourns each session, directs the discussions, gives the floor, submits items for consideration, and proclaims the decisions adopted by the States Parties. - They examine the credentials of the representatives of the Parties and report thereon to the Conference of the Parties. - The Secretariat consults them regarding the documentation for the meetings of the Conference of the Parties, including working documents and the provisional agenda. The provisional agenda is the proposed list of topics for the Conference of the Parties, submitted to the Conference at the beginning of each meeting for consideration, amendment and adoption. If the meeting has been unable to address all the agenda items, the Presiding Officers may include unfinished items on the provisional agenda for the next meeting of the Conference of the Parties. 	<ul style="list-style-type: none"> - At meetings that the Presiding Officers hold with the public in advance of the meetings of the Conference of the Parties, both virtually and in person, regarding the convening and agenda of the meeting, in addition to an in-person meeting at the beginning of each Conference of the Parties. - Through the elected representative of the public who serves as one of the Presiding Officers.
States Parties	<ul style="list-style-type: none"> - They make up the Conference of the Parties. - They make decisions on matters of substance and procedure. - They may propose additional items to be included on the provisional agenda of a meeting of the Conference of the Parties to the Presiding Officers, at least 30 days in advance. - They appoint a delegation to participate in the Conference of the Parties, consisting of a head, accredited representatives, alternate representatives and advisers, who participate and make decisions at the meetings. - Upon conclusion of the meeting, they contribute to the implementation of the decisions of the Conference of the Parties. 	<ul style="list-style-type: none"> - During the meeting, through the delegation designated by the State Party. - At events organized by each State Party in the lead-up to, during and after meetings of the Conference of the Parties. - In the instances created internally by each Party for the implementation of the decisions of the Conference of the Parties. - Through the focal points of each Party, i.e. persons officially designated by the State Party to interact with the Secretariat on the Agreement.

Actor	Roles	How do they interact with the public?
Elected representatives of the public	<ul style="list-style-type: none"> - They have two places at the main table in the meetings of the Conference of the Parties. - They may speak and express their opinions and proposals during the sessions. 	<ul style="list-style-type: none"> - In activities organized by the elected representatives at or prior to the Conference. - Through the Regional Public Mechanism, using the various modalities available on its participatory digital platform, such as surveys, consultations and forms. - The public may communicate directly with their representatives by email.
Public	<ul style="list-style-type: none"> - May access all official meeting information and documents. - Participate in meetings with voice but not vote, after registration and acceptance. - Distribute documents and make oral and written contributions during the meeting in accordance with the rules of procedure. - Speak at meetings when granted the floor by the Chair, in accordance with the rules of procedure. - Formulate written language proposals, which must be compiled in a separate document, collected and formally submitted by at least one Party for consideration for inclusion in the negotiation of an official text of the Conference of the Parties. - Submit proposals for side events within the framework of the official call issued by the Secretariat. - Participate in preparatory events for the Conference of the Parties, such as the preparatory meetings for the meetings of the Conference of the Parties to the Escazú Agreement and in the preliminary meetings, in virtual and in-person formats, convened by the Presiding Officers. - Contribute to the implementation of the decisions adopted by the Conference of the Parties. 	
Observers	<ul style="list-style-type: none"> - Participate in meetings with voice but without vote, after prior registration and confirmation of their accreditation. - They may speak when the Chair grants them the floor, in accordance with the rules of procedure. 	<ul style="list-style-type: none"> - Through delegations designated by non-Party States, during meetings of the Conference of the Parties.

Source: Economic Commission for Latin America and the Caribbean.

Table A2.2

Presiding Officers of the Conference of the Parties to the Escazú Agreement

Actor	Roles	How do they interact with the public?
Chair and Vice-Chairs	<ul style="list-style-type: none"> - They are part of the Presiding Officers. - They chair the meetings of the Conference of the Parties and are consulted in the preparation of official documentation for the meetings. - They prepare the roster of candidates for the Committee to Support Implementation and Compliance (CSIS). 	<ul style="list-style-type: none"> - Through the elected representative of the public during the meetings of the Presiding Officers. - By maintaining an ongoing dialogue with the public and their representatives and hold regular joint meetings. - Directly with the public at the meetings convened for this purpose.
Elected representatives of the public	<ul style="list-style-type: none"> - They have a voice, but not a vote, in meetings of the Presiding Officers. 	<ul style="list-style-type: none"> - Have a voice, but not vote, in the meetings of the Presiding Officers. - Through the Regional Public Mechanism, using the various modalities provided on its participatory digital platform, such as surveys, consultations and forms. - The public may communicate directly with their representatives by email.

Source: Economic Commission for Latin America and the Caribbean.

Table A2.3

Committee to Support Implementation and Compliance of the Escazú Agreement

Actor	Roles	How does it interact with the public?
Members of the Committee	<ul style="list-style-type: none"> - Support the implementation of the Escazú Agreement. - Support the Conference of the Parties, the Parties, and the public, and review communications. - Hold at least three ordinary meetings each year, at least one in person, according to the Rules relating to the structure and functions of the Committee. - Maintain an open dialogue with the Parties and members of the public. - Submit a report on their activities at each ordinary meeting of the Conference of the Parties and, at least every two ordinary meetings, a report on systemic issues relating to the implementation and fulfilment of the Agreement and reports on any aspect relating to implementation and compliance requested by the Conference of the Parties. 	<ul style="list-style-type: none"> - They receive written input from the public and listen to their views in open meetings.

Actor	Roles	How does it interact with the public?
States Parties	<ul style="list-style-type: none"> - Participate in Committee consultations and dialogues at least once every four years. - May submit queries to the Committee regarding interpretation of the Agreement. - May submit communications requesting support or alleging non-compliance with the Agreement. - In the event of submission of a communication regarding non-compliance concerning them, they have four months to respond in writing, and they may request a hearing to present their version of the substance of the case, as may the authors of the communication. - They have a voice, but not a vote, in the meetings of the Committee. 	<ul style="list-style-type: none"> - Through written contributions and communications received by the Committee.
Elected representatives of the public	<ul style="list-style-type: none"> - May submit consultations regarding the interpretation of the Agreement. - May submit written observations about a case during the period for comments. 	<ul style="list-style-type: none"> - Through the Regional Public Mechanism, using the various modalities enabled on its participatory digital platform, such as surveys, consultations and forms. - The public may communicate directly with their representatives by email.
Public	<ul style="list-style-type: none"> - Any member of the public may submit a candidacy to become a member of the Committee. - May participate in the open meetings of the Committee: in the dialogue and periodic consultations between the Committee and each of the Parties, as well as in the public hearing, if there is one, addressing a case. - May submit communications on matters related to the Agreement. - May provide information and make comments relating to: the preparation of a report on systemic issues; a report requested by the Conference of the Parties; general observations on the interpretation of the Agreement; the implementation of the Agreement by a Party in the context of dialogue and consultations with the Parties; and the substantial and legal aspects of communications under review. 	

Source: Economic Commission for Latin America and the Caribbean.

Table A2.4

Elected representatives of the public for the Escazú Agreement

Actor	Roles	How do they interact with the public?
Elected representatives	<ul style="list-style-type: none"> - They encourage and facilitate public participation, and represent the public in the various instances of the Agreement. - They obtain and consider proposals from the public for the different processes of the Agreement through the Regional Public Mechanism. - The Presiding Officers consult them about the roster of candidates for the Committee to Support Implementation and Compliance, before submitting it to the Conference of the Parties. - They can submit queries to the Committee regarding the interpretation of the Agreement and submit written observations on a case. - They may speak, but not vote, at meetings of the Conference of the Parties (2 seats at the main table) and as members of the Presiding Officers (1 elected representative of the public). 	<ul style="list-style-type: none"> - Any member of the public may participate in the election process and stand to be elected as representative of the public, in accordance with the rules of procedure and other applicable rules. - Through the Regional Public Mechanism, using the various modalities on its participatory digital platform, such as surveys, consultations and forms. - The public may communicate directly with their representatives by email.

Source: Economic Commission for Latin America and the Caribbean.

Annex A3

Code of conduct

Applicable to people attending the events of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

1. Objective

Create a safe, respectful and inclusive environment at Escazú Agreement events for all attendees.

2. Scope

This Code of conduct applies to all attendees of in-person and virtual events organized, sponsored or hosted by the Secretariat of the Escazú Agreement in whole or in part, including meetings, conferences, symposiums, assemblies, receptions, technical and/or scientific events, expert meetings, workshops, exhibitions and side events.

The Secretariat may take any action necessary to ensure the safety, respect and inclusion of event attendees, including denying access to the venue of sessions and meetings or requesting persons to leave. Attendees must cooperate and comply with the requests and directives of United Nations and its security personnel regarding the use of and access to venues, as well as the conduct required when present and when requested to leave.

3. General guidelines

- **Safety of people and venues:** Ensure the physical well-being of people attending events, as well as the correct use and maintenance of venues.
- **Equality and non-discrimination:** Ensure that everyone can participate in equal conditions, and that no one is subject to exclusion, harassment or limitations owing to gender, race, culture or any other characteristic.
- **Respectful dialogue:** Ensure that attendees can express ideas, ask questions and discuss issues in a cordial and professional atmosphere.
- **Human rights:** Ensure respect for human rights and the dignity and value of all people without distinction.

4. Expected conduct:

- **Follow protocol and respect the nature of the event:** Attendees must comply with the [Rules of Procedure of the Conference of the Parties](#) and with the rules and procedures established by the United Nations for its meetings, allowing these to be conducted smoothly and respectfully.
- **Follow the directives of United Nations personnel:** Directives issued by United Nations personnel, including security personnel, must be followed. This ensures safety and order during the event.
- **Access only authorized spaces:** Attendees should access only the rooms or spaces that they are authorized to enter, according to the event programme.
- **Speak only when granted the floor:** Attendees may speak when granted the floor, either by the Chair, representatives of the Secretariat or the event moderator. This ensures the orderly flow of discussions and an environment conducive to dialogue.

- **Always carry credentials: Credentials must be displayed at all times.** They are a form of identification that may be required to access certain spaces or to participate in specific activities.
- **Respect time allotted for statements:** Speakers must respect the time allotted for statements and comments during sessions, to allow equal participation.
- **Ensure that language and behaviour are respectful:** Courteous and respectful language should be used in all verbal and written communications.
- **Respect cultural differences:** Differences in culture, language and viewpoints must be recognized and respected. Expressions that may be offensive or misinterpreted by people from different cultural backgrounds should be avoided.

5. In-person participation of minors

Minors are those who are considered as such in the host country of each event. With regard to events at ECLAC headquarters in Santiago, minors are persons under the age of 18.

Minors may register to participate in Secretariat events as long as:

- (a) They provide written legal authorization in accordance with the legislation of their country of origin, from a parent or legal guardian.
- (b) In the event that they are not accompanied by a parent or legal guardian, they provide written legal authorization in accordance with the legislation of their country of origin, from their parent or legal guardian, to be supervised and accompanied at all times by a person who is considered an adult in the host country of the event and who is a registered participant in the event. This person will assume full responsibility for the minor and the risks they may face during the event or at the venue.

Both the minor and the person responsible for supervising and accompanying them must be properly registered to participate in the event.

6. Prohibited conduct

- **Harassment:** Participants in the events of the Escazú Agreement must comply with the [Code of Conduct to Prevent Harassment, Including Sexual Harassment, at United Nations System Events](#). Harassment is any inappropriate or undesirable behaviour that could reasonably be expected to cause or be perceived as causing offence to or humiliation of another person. Any form of harassment based on gender, gender identity and expression, sexual orientation, physical ability, physical appearance, ethnicity, race, national origin, political affiliation, age, religion or other factor is prohibited at events of the Escazú Agreement.
- **Use of violence:** Attendees must remain peaceful and non-violent at all times.
- **Unauthorized use of rooms and spaces, including common or open areas and passageways:** The rooms and spaces designated for the event may only be used with prior authorization from the Secretariat.
- **Disruption of the agenda:** Any action that hinders or disrupts the official agenda of the meeting is prohibited, such as blocking hallways, interrupting speakers who have been granted the floor and either carelessly or deliberately preventing attendees from entering or exiting rooms or premises.
- **Display or distribution of unofficial materials:** Only United Nations personnel may authorize the display or distribution of materials at events. With regard to confidentiality, sharing classified or sensitive information gleaned from internal discussions, documents and other files or materials without proper authorization is not permitted.
- **Unauthorized photography or recordings:** Taking photographs or making audio or video recordings

without the prior consent of all involved parties is not permitted when such actions pose a threat to open and respectful dialogue and to participants' privacy, integrity and safety.

- **Unauthorized use of electronic devices:** The use of electronic devices in a manner that distracts or interrupts the normal flow of meetings or sessions, such as loud telephone conversations or playback of sounds that disturb the other participants, is not permitted.
- **Use of non-designated seats:** Occupying seats that have been reserved for other participants is not permitted.

This list is not exhaustive, and the Secretariat reserves the right to take the appropriate measures needed to ensure a safe, respectful and inclusive environment during events.

7. Reporting mechanism

The Secretariat will act ex officio in any case of non-compliance with this Code of conduct. Any person may inform the Secretariat of any relevant actions or incidents via email to secretaria.escazu@cepal.org or in person with its staff.

The Secretariat is governed by the rules and procedures of the United Nations and will take the appropriate measures in accordance with applicable policies, standards and rules.

Nothing in the foregoing shall constitute or be deemed a limitation on or waiver, express or implied, of the Convention on the Privileges and Immunities of the United Nations.



This Guide offers the public information on opportunities for participating in the institutional mechanisms of the **Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)**. It also helps to improve understanding of current procedures and existing bodies, strengthens the capacities of the public and facilitates public participation in implementation and follow-up of the Agreement.



Digital version available online



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