

Agenda item 5. Promotion of the Convention and relevant developments and interlinkages

ECO Forum statement by Magda Tóthné dr. Nagy, Guta Environmental Law Association

ECO Forum and some of its members are closely following the developments under the Escazú Agreement (Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America), which is a very significant legal instrument, the sister or brother of the Aarhus Convention, and the first environmental agreement in Latin America and the Caribbean.

In this respect we thank the Aarhus Secretariat for providing significant support to the ECLAC Secretariat. Our organization, the Guta Environmental Law Association and some Aarhus experts also have been in regular touch with the LAC Civil Society representatives, the ECLAC Secretariat and some Parties and Signatories, and also have supported them by advice and capacity building assistance on the priority issues on their current agenda.

Currently, the 2nd Meeting of Signatories of the Escazú Agreement is planned for the 2nd half of this year, although due to the COVID-19 pandemic situation it may be postponed or held virtually. As only two ratifications are needed for the entering into force of the agreement, - 11 ratifications are required, - the first Conference of Parties could be held next year. Preparations are already under way, and the basic documents for the functioning and institutional setup of the agreement, including the draft Rules of Procedure and the draft Rules for the Implementation and Follow-up Committee (similar to a Compliance Committee) are being discussed. The ECLAC Secretariat has organized webinars to collect comments from the Parties, Signatories, CSO representatives and other stakeholders to prepare the first draft of these documents. The Civil Society representatives have prepared their proposals and are collecting comments from the broader CSO community through the so-called Regional Public Mechanism.

The Parties, Signatories, CSOs and other stakeholders of the Escazú Agreement, as well as ECLAC look to the Aarhus Convention to learn from our experience and best practices of implementation. There are a number of areas for cooperation between the Aarhus Convention and the Escazú Agreement where the experiences could be shared and synergies can be built. Just to name a few of the most important ones: how the the institutional framework and mechanisms of the Aarhus Convention has been developed and how these work; the protection of environmental defenders, a very critical problem in the LAC region which is addressed in the Escazú Agreement by a specific article (Article 9 on „Human Right Defenders in Environmental Matters), and more detailed guidance or action plan may be developed on how this article should be implemented; the Rapid Response Mechanism which has been proposed to be developed also by the LAC CSOs, under the Escazú Agreement; the development and experiences of the Aarhus Compliance Committee; the implementation of Aarhus Convention 3.7 on the promotion of the application of Aarhus principles in international fora (PPIF), etc. Also, capacity building is needed for the Escazú Parties, Signatories, CSOs and other stakeholders on the implementation of the three pillars.

We call the Aarhus Convention Parties and stakeholders, as well as the Aarhus Secretariat for continued support for the Escazú Agreement and cooperation between the two international legal instruments, and to this end, if possible, providing financial resources for the LAC and Aarhus partners, for further assistance.