

# Open Government and the Escazú Agreement

The Open Government Partnership (OGP) | Last updated March 2024

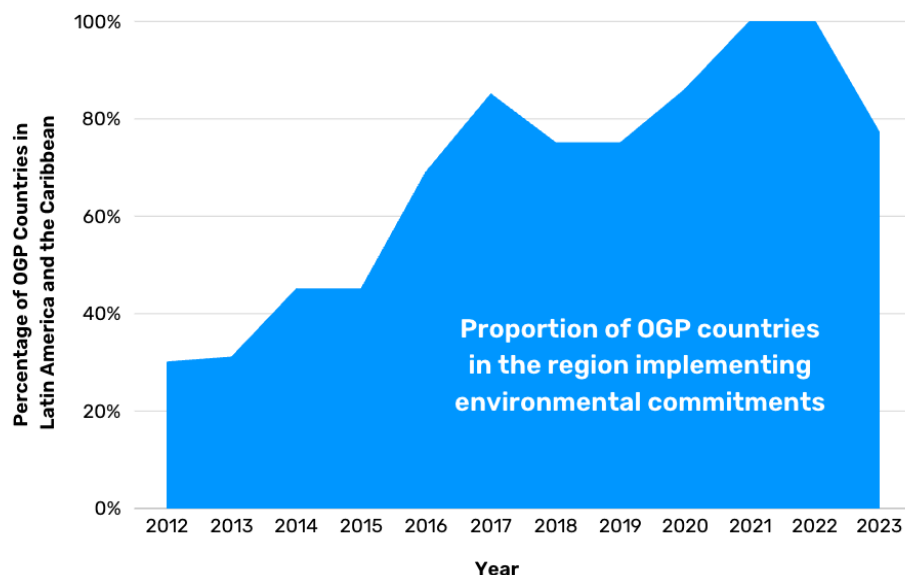
## Key Takeaways

- **A strong synergy exists between open government and the Escazú Agreement**, as both emphasize the active participation of stakeholders in decision-making; collaboration across countries; and transparency, participation, and accountability.
- **OGP is uniquely positioned to convene stakeholders** through action plans, multi-stakeholder forums, peer exchange, and independent monitoring.
- **Several OGP countries are already implementing the Escazú agreement** through OGP commitments in areas like access to justice and human rights, as well as transparency, participation, and accountability in environmental affairs.

## PROGRESS THROUGH OGP

- **Seven** countries and **two** localities in Latin America and the Caribbean have made a total of **11** commitments that directly reference the Escazú Agreement.<sup>1</sup>
- Countries in Latin America and the Caribbean have used their OGP action plans to make progress in several areas that could be intersected with climate, as suggested in the Escazú Agreement:
  - **Access to justice:** 15 countries have made a total of 38 commitments.
  - **Environment and climate:** 15 countries have made a total of 74 commitments.
  - **Right to information:** 12 countries have made a total of 119 commitments.
  - **Human rights:** 12 countries have made a total of 43 commitments.
- More and more countries in Latin America and the Caribbean are making OGP commitments related to the environment (see graph below). These countries lead all other regions in the number of environment-related commitments.

**Figure 1. Adoption of Environmental Commitments in Latin America and the Caribbean**



<sup>1</sup> Members who have made OGP commitments referencing the Escazú Agreement are [Argentina](#), [Chile](#), [Ecuador](#), [Honduras](#), [Mexico](#), [Panama](#), [Uruguay](#), [Peñalolén \(Chile\)](#), and [Quintana Roo \(Mexico\)](#).

## COMMITMENT EXAMPLES

The following examples highlight where OGP members – across all regions – are advancing transparency, participation, and accountability in environmental matters. Examples are grouped by their relevance to articles of the Escazú Agreement.

### Article 5: Access to Environmental Information

*Parties shall ensure the public's right to environmental information, which includes promptly providing requested information and guaranteeing the public's right to challenge and appeal when information is not delivered.*

- ❖ In 2014, [Ireland](#) committed to training public bodies on responding to environmental information requests and publishing a database that records the number of requests granted and refused.

### Article 6: Generation and Dissemination of Environmental Information

*Parties shall guarantee that the competent authorities collect and publicize environmental information relevant to their functions in a systematic, proactive, timely, regular, accessible and comprehensible manner.*

- ❖ As part of their 2021-2023 action plan, [Panama](#) committed to strengthening the National Environmental Information System (SINIA) to comply with article 6 of the Escazú Agreement.

### Article 7: Public Participation in the Environmental Decision-Making Process

*Parties shall ensure the public's right to participation by implementing open and inclusive participation in environmental decision-making processes based on domestic and international normative frameworks.*

- ❖ In 2022, [Argentina](#) committed to create the conditions for broad, inclusive, informed, and accessible public participation in environmental decision-making, in line with the Escazú Agreement.
- ❖ [Chile](#) is currently committed to developing and sharing a Participatory Implementation Plan for the Escazú Agreement through public consultations, workshops, and dialogues.

### Article 8: Access to Justice in Environmental Matters

*Parties shall guarantee the right of access to justice in environmental matters in accordance with the guarantees of due process. This includes the right to challenge and appeal environment-related decisions.*

- ❖ The [United States](#) is currently committed to designing an Environmental Justice Scorecard that enables the public to hold federal programs accountable for environmental justice investments.

### Article 9: Human Rights Defenders in Environmental Matters

*Parties shall guarantee a safe and enabling environment for persons and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.*

- ❖ As part of their 2022-2024 action plan, [Indonesia](#) is committed to preparing recommendations that will serve as the foundation for the legal protection of environmental defenders.

## RESOURCES

Access additional resources online, such as research publications, fact sheets, blog posts, events, and podcasts. Topics include transparency and participation in environmental decision-making, environmental justice, and right to information appeals processes.

