

# Open Government and the Escazú Agreement

The Open Government Partnership (OGP) | Last updated April 2023

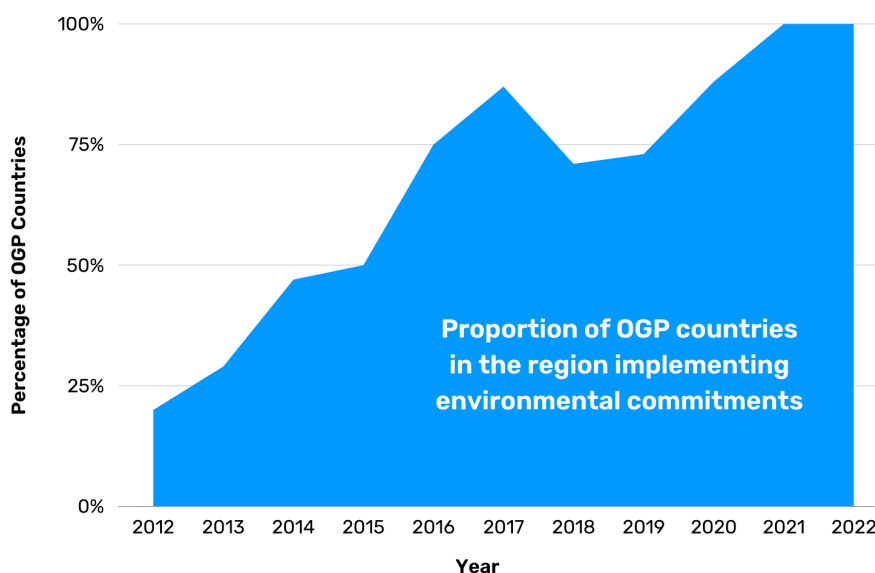
## Key Takeaways

- **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

- **Five** countries and **one** locality in the Americas have made a total of **7** commitments that directly reference the Escazú Agreement.<sup>1</sup>
- Countries in the Americas have used their OGP action plans to make progress in several relevant areas:
  - **Access to justice:** 15 countries have made a total of 40 commitments.
  - **Environment and climate:** 18 countries have made a total of 97 commitments.
  - **Right to information:** 18 countries have made a total of 139 commitments.
  - **Human rights:** 13 countries have made a total of 40 commitments.
- More and more countries in the Americas are making OGP commitments related to the environment (see graph below). The Americas leads all other regions in the number of environment-related commitments.

**Figure 1. Adoption of Environment-Related Commitments in the Americas**



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

## 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](#) is 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.
- ❖ Through their current 2021-2024 action plan, [Peñalolén, Chile](#) is committed to promoting the co-creation of environmental instruments and regulations at the local level.

### 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.

