

SUMMARY NOTE IMPLEMENTATION PROGRAMME

ACTION PLAN ON HUMAN RIGHTS DEFENDERS IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN OF THE ESCAZÚ AGREEMENT

WORKING GROUP OF THE PUBLIC ON DEFENDERS

[Link to the Implementation Program](#)

GENERAL OBSERVATIONS

- All activities within the Implementation Program **require both qualitative and quantitative compliance indicators**. These indicators enable measurable follow-up, monitoring, and evaluation of the Action Plan. Additionally, it is crucial to establish impact indicators to determine the success of the Plan.
- It is important to emphasize that all program activities must align with the **guide on mainstreaming the gender perspective in the implementation of the Escazú Agreement**.
- Several actions are related to the national implementation plans of the Escazú Agreement. This suggests that we should **consider these actions from a broad and comprehensive perspective**, rather than viewing them solely as specific tasks derived from the Action Plan for environmental defenders.
- You will notice that many of **our proposals do not involve creating new activities. Instead, they focus on characterizing existing ones**, such as suggesting quantitative indicators or enhancing the quality of dissemination and participation in certain activities.

How to read this document?

The ***Priority Areas and Strategic measures*** of the Action Plan on Defenders are highlighted in bold and italics. The ***deliverables proposed by the Implementation Plan*** are indicated in red italics. Below this, we have listed our proposals for these deliverables (1, 2, 3, etc).

SPECIFIC OBSERVATIONS BY PRIORITY AREAS/ STRATEGIC MEASURES

Axis A. Knowledge creation

A.1. By 2026, prepare an assessment of the situation of persons, groups and organizations that promote and defend human rights in environmental matters in the States Parties, which, depending on the availability of data, considers, among other factors: the number of victims or violations and the different types of violations; international and national instruments and mechanisms related to prevention, protection and punishment, such as early warning systems and protocols for action by national and subnational institutions; existing practices and other experiences and community-based initiatives and selfprotection strategies carried out by those who promote and defend

human rights in environmental matters. The assessment will take into account information provided by the States Parties and other key stakeholders and will provide relevant conclusions. *Regional assessment with a synthesis report with relevant conclusions.*

1. The regional assessment should be developed using a participatory methodology that involves key stakeholders, including the public sector, the United Nations, and justice officials.
2. It should provide specific recommendations for preventing attacks on environmental protection.
3. Additional assessments conducted by civil society, ethnic groups, and local communities, referred to as "Diagnósticos Luz," should be actively encouraged.

A.2. *Ensure continuity and wider dissemination of spaces for capacity-building, exchanges and reflection on the situation of persons, groups and organizations that promote and defend human rights in environmental matters in Latin America and the Caribbean. These forums for exchange will be organized periodically starting in 2025, and every two years thereafter, for the duration of the present plan, and will include recognized specialists in the subject and the support of the Secretariat of the Escazú Agreement, and the thematic areas and methodologies will be determined through a participatory process. 1)3 Forums and 2) preparatory activities.*

1. In addition to the Regional Forums, it is important to promote preparatory activities, such as annual local forums. These forums will help provide input for assessments (A.1), address identified issues (including structural and underlying causes), examine the implementation of assessment recommendations, and facilitate the exchange of experiences related to self-protection mechanisms and their enhancement.
2. Both the forums and preparatory activities will benefit from sharing experiences and information. As a result, an archive dedicated to memory and environmental justice should be established as a regional repository for testimonies, reports, and notable cases.

A.3. *Strengthen the content related to persons, groups and organizations that promote and defend human rights in environmental matters in the Observatory on Principle 10 in Latin America and the Caribbean, as the clearing house referred to in article 12 of the Agreement, promoting the dissemination, accessibility and understanding of the Agreement, and establishing synergies and linkages with other existing repositories. The assessment referred to in action A.1 will be published in the Observatory. The States Parties shall report on new relevant legislation, policies, plans and programmes that have entered into force, in order to update the information on this subject in the Observatory. 1) Strengthen the section of the P10 Observatory on environmental defenders 2) Generation of resources on the subject, 3) Publication of contributions by States Parties, and 4) Publication of the assessment mentioned in A.1.*

1. To complement the Observatory, the Secretariat and the COP should encourage and support the establishment and functioning of independent information centers

¹Personas, grupos y organizaciones defensoras.

would aim to monitor progress and setbacks, as well as identify best practices in legislation, public policy, and the assessments outlined in point A.1.

A.4. Disseminate the information gathered in this area, ensuring that it is accessible and understandable, in line with the standards of the Agreement. This process will take into account the problems that the public –and especially persons, groups and organizations that promote and defend human rights in environmental matters– may face in terms of connectivity and the digital divide. 1) Dissemination activities of the assessment during its preparation and its results, and/or updates, 2) Activities for the dissemination of the Forums, 3) Dissemination of the Forum Reports, 4) Dissemination materials of the P10 Observatory, 5) Dissemination materials of the activities of the Working Group, such as minutes and other documents.

1. Beyond proposing specific outreach activities, we believe that outreach should be qualified or conducted with specific criteria in mind. This includes proactive transparency, as outlined in Article 6 of the Escazú Agreement. The approach should be culturally appropriate, consider gender differences, and facilitate the participation of vulnerable groups. For example, outreach can involve using community radio stations and communicating in simple language or indigenous languages when appropriate.

Axis B. Recognition

B.1. Foster exchanges and partnerships between persons, groups and organizations that promote and defend human rights in environmental matters and the States Parties to advance in the recognition of their work. 1) Workshops and/or webinars, 2) agreements and partnerships.

1. We propose to establish a multi-stakeholder and inter-institutional consultative forum or space at both national and territorial levels. This space would ensure continuity and coordination in the exchange of ideas and partnership actions based on the needs identified in the assessment (A1) for the protection of environmental defenders. It should include defenders, organizations dedicated to protecting their rights, and justice officials, among others.
2. As part of the Agreement's implementation program, periodic subnational and local exchanges should be generated for the various government agencies involved. To ensure a meaningful impact, the States Parties should provide financial support for the participation of defenders in these forums.

B.2. Regularly implement measures for dissemination, communication and raising public awareness, which are adapted to the social, economic, cultural, geographical and gender characteristics of the public, and which relate to the situation of human rights defenders in environmental matters and the relevance of their essential work. 1) Seminars and webinars, 2) campaigns and public outreach, 3) awareness-raising materials.

1. To avoid isolated actions, these initiatives should be incorporated into an annual program based on the assessments mentioned in point A.1. This program may include

both in-person and virtual activities and should be widely promoted using official and community channels to raise awareness at various levels of government and state institutions (refer to the dissemination criteria in point A.4).

2. Special emphasis will be placed on awareness-raising and training campaigns aimed at those responsible for implementing Article 9, as well as the private sector operating in Indigenous territories. These actions should be monitored and updated at least every two years until 2030.

B.3. Organize activities to commemorate and recognize the work of persons, groups and organizations for their contributions to the promotion and defence of the environment, the strengthening of democracy, access rights and sustainable development, including posthumous recognition activities. As part of these activities, efforts will be made to ensure the participation of State authorities and managers, and the timely participation of those who promote and defend human rights in environmental matters, especially indigenous peoples and local communities, as well as the inclusion of persons or groups in vulnerable situations. 1) Commemoration activities in the framework of regional meetings of the Agreement; 2) Promotion of recognition activities in regional meetings outside the Agreement; and 3) National commemoration activities.

1. Activities related to recognition should be carried out in consultation with human rights defenders, respecting their diversity and implementing culturally appropriate measures while considering the risks associated with recognition.
2. Recognition efforts should enhance environmental advocacy by providing education, such as scholarships, as well as training and both legal and psychological support.
3. States need to align their regulatory frameworks with the definition of human rights defenders, adhering to the highest universal and regional human rights standards.
4. Moreover, recognition should extend beyond symbolic gestures; it should include a restorative approach in line with international standards and the principles governing the right to reparations.

B.4. Forge partnerships with different stakeholders and national, regional and international forums or other bodies focused on environmental themes related to the present plan, in order to carry out activities for the recognition and promotion of the work and rights of persons, groups and organizations that promote and defend human rights in environmental matters, in accordance with the rules of each one. 1) Activities in national, regional and international forums, 2) Partnerships for recognition and promotion.

1. Focus on forming partnerships with organizations and individuals who have expertise and recognition in environmental human rights issues, such as those within the Inter-American Human Rights System.
2. These partnerships should lead to the establishment of early warning mechanisms, rapid response networks for threats, opportunities for capacity building, involvement in decision-making forums, and platforms for environmental justice and memory.

Axis C. Capacity-building and cooperation for national implementation of the action plan

C.1. Formulate regional guidelines which are useful for the various stakeholders and which consider the approaches and principles of the present plan, to support the national review, adaptation and formulation of laws, policies, plans and programmes, along with prevention, investigation and punishment measures, with respect to attacks, threats or intimidations that persons, groups or organizations that promote and defend human rights in environmental matters may suffer. 1-) Regional document with guidelines.

1. The regional guidelines should be developed using a participatory approach, incorporating the following key inputs: (i) the assessments from point A.1, (ii) other relevant national, regional, and international reports, and (iii) regional meetings (at least one meeting for each subregion: Mesoamerica, South America, and the Caribbean). These meetings should include authorities responsible for prevention, investigation, and punishment, as well as policymakers and justice officials.
2. Public consultation on the draft regional guidelines must occur at both the regional and State Party levels. This consultation should ensure effective, understandable, and timely dissemination of information through various channels, such as local media and community radio. Facilitating participation using culturally appropriate and gender-sensitive methods is essential.

C.2. Provide support and technical assistance to the Parties for the full and effective implementation of article 9 of the Escazú Agreement through the preparation and execution of national implementation plans and road maps, including capacity-building to assess the situation of persons, groups and organizations that promote and defend human rights in environmental matters, in accordance. 1-) National implementation plans and roadmaps.

1. It is important to ensure that the implementation of the Action Plan is aligned with the national plans and roadmaps for the Escazú Agreement. Specifically, the implementation of Article 9 should be harmonized with the overall implementation of the treaty.

C.3. Create, foster or strengthen forums for coordination and collaboration with other bodies or existing mechanisms for the prevention, investigation and punishment of attacks, threats or intimidations that may be suffered by persons, groups or organizations that promote and defend human rights in environmental matters, in an effort to establish synergies between States and other stakeholders for the effective implementation of article 9 of the Escazú Agreement. 1-) Articulation and collaboration instances.

1. Create spaces for coordination and collaboration, such as annual national working groups, involving justice officials, ombudsman offices, public prosecutors' offices, and other stakeholders dedicated to protecting the rights of environmental defenders. These groups would address the challenges facing environmental defenders and explore potential solutions, resulting in concrete commitments, products, or strategies. It is crucial that these discussions examine the underlying causes of violence against environmental defenders, including the presence of 5 extractive industries and illegal activities.

C.4. Encourage the observance of international regulations, recommendations and guidelines on respecting and ensuring a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters. 1-) International and regional dialogues and exchange opportunities.

1. Include at least two international dialogues and three regional exchange platforms focused on standards observance. These platforms should involve representatives from various regions and key organizations that promote human rights standards and protection, such as regional and universal protection systems. The dialogues and exchange spaces should aim to generate concrete commitments, actionable products, or effective strategies.
2. Additionally, ensure coordination among key stakeholders involved in this deliverable, following the guidelines set by the Implementation and Compliance Support Committee within the framework of its mandate.

C.5. Foster the establishment and strengthening of institutions that provide pro bono legal assistance to persons, groups and organizations that promote and defend human rights in environmental matters that have been victims of crimes and human rights violations. 1) Regional and national capacity-building and experience sharing sessions; 2) Dissemination activities at the regional and national level.

1. We recommend that there be a minimum of two training sessions each year, both at the regional and national levels, for institutions or officials responsible for providing legal assistance to human rights defenders.
2. Additionally, those responsible for this activity, particularly the States Parties, should conduct at least two information campaigns annually at both the regional and national levels. These campaigns should target authorities involved in legal assistance and defense, with a specific emphasis on ethnic groups and local communities.
3. States should also establish partnerships with other relevant actors, such as legal clinics and organizations that offer free legal defense services.

C.6. Conduct training activities on the Escazú Agreement, with an emphasis on specific aspects of article 9, with persons, groups and organizations that promote and defend human rights in environmental matters and relevant stakeholders at the national, subnational and international levels, such as civil society organizations, journalists and social communicators, donors, private sector actors, development banks and financial institutions, international agencies, academia, governments at all levels and relevant State institutions, especially national human rights institutions and ombudspersons' offices. 1) Regional training and awareness-raising activities 2) National and subnational training and awareness- raising activities.

1. Organize at least two national and subnational training and awareness-raising activities in preparation for the Regional Forums for Human Rights Defenders.
2. Establish training opportunities focused on protecting human rights defenders in coordination with development banks such as IDB, IDB Invest, IFC, and the World

Bank. These opportunities should aim to elaborate future protocols or guidelines that develop their commitment to "Zero Tolerance to Reprisals" in accordance with the standards of the Agreement, the Action Plan, and its implementation program.

3. Ensure that women human rights defenders, diverse groups, ethnic communities, and local populations are actively involved in national and regional training and awareness-raising activities, taking into account each group's sociocultural context.

C.7. Carry out national or regional training and awareness-raising activities aimed at justice officials, such as judges and prosecutors, and persons who are involved in processes in which the State carries out functions seeking to guarantee access to justice, such as public security and law enforcement agents or other national institutions that play a key role in the functioning of mechanisms for care, prevention, investigation and punishment with regard to attacks, threats or intimidations that may be suffered by persons, groups or organizations that promote and defend human rights in environmental matters; also, facilitate dialogue and sharing of experiences on specific subjects among these justice officials and between them and the persons who promote and defend human rights in environmental matters. 1) Regional training and awareness-raising activities, thematic dialogues and exchanges; 2) National awareness-raising activities, and dialogues.

1. We recommend conducting at least two training activities and national dialogues each year, either in person or online.
2. We believe that dialogues and co-creation spaces with the judiciary are crucial for effectively implementing Article 9 and addressing the obstacles that environmental defenders face in accessing justice.
3. Training sessions should specifically address the situation and challenges that women defenders encounter when engaging with mechanisms for care, prevention, investigation, and punishment.

C.8. Prepare materials in different formats and languages, with clear and understandable content, and disseminate them in an accessible manner, so that they can be used to inform, provide training and raise awareness on the contents of article 9 of the Escazú Agreement. The adoption of a participatory approach in this process will be encouraged.

1-) Elaboration and dissemination of materials in different formats.

1. It is essential to develop national and subnational guides for environmental defenders as part of these materials. These guides should include information on the following key areas: (i) public policies, regulations, and state measures that protect their work; (ii) available prevention and protection measures; (iii) best practices for personal and collective self-protection; and (iv) reporting channels to use in the event of attacks, threats, or intimidation.
2. The materials must be culturally appropriate and presented in inclusive and accessible formats for Indigenous, Afro-descendant, and rural women defenders.
3. Moreover, the dissemination of these materials should be timely and utilize culturally relevant media, such as local media and community radio, while also considering linguistic variations. It is important to incorporate a gender perspective throughout this process.

Axis D: Evaluation, follow-up and review of the action plan:

D.1. Support implementation, evaluation, monitoring and review of the measures of the action plan, with meaningful public participation, especially by persons, groups and organizations that promote and defend human rights in environmental matters, including indigenous peoples and local communities, endeavouring to include persons or groups in vulnerable situations. 1-) Voluntary reports of the Parties at the Forums (preparatory to the periodic reports of the Parties at the COPs).

1. Progress reports should be prepared by Parties involved in regional forums that are related to or part of the reports at the Conference of the Parties (CoPs) (See D4).
2. In line with the assessments (A.1) and their recommendations, States should include actions regarding the progress and outcomes of administrative and judicial investigations into violations or crimes against human rights defenders. This should encompass initiatives on non-judicial mechanisms aimed at combating impunity, such as truth commissions, as well as information on reparations received by human rights defenders in accordance with human rights standards.
3. Moreover, it is essential to broaden the dissemination of reports through culturally appropriate media and materials.

D.2. Develop an implementation programme for this action plan that considers, among other factors, responsibilities, deadlines and possible sources of support. 1-) Program Document.

D.3. Include in the regular reports of the Parties on the implementation of and compliance with the Escazú Agreement, within the framework established in article 15, paragraph 5(c) of the Agreement, the national measures and actions for the implementation of article 9 and those corresponding to the priority areas and strategic measures of this action plan, enabling the development of follow-up indicators. 1-) Regular reports of the Parties on the implementation of and compliance with the Escazú Agreement.

1. Include Public and environmental defenders as collaborators.
2. Acknowledge independent national observatories as important tools for monitoring the action plan.
3. Ensure that the Public actively participates in the monitoring process, as well as in the preparation of reports and national development initiatives.
4. Reports should document positive outcomes, including resolved conflicts, recovered missing persons, released individuals who were unjustly criminalized, and prevention systems managed by ethnic groups, among others.

D.4. To present the progress achieved in the implementation of the priority axes and strategic actions foreseen in this action plan at the ordinary meetings of the Conference of Parties to be held during the life of this instrument. 1-) Progress reports on the implementation of the action plan.

1. Identify and present to the COP the gaps and challenges in the effective implementation of the Action Plan.

2. Present an evaluation/reflection on the Action Plan's actions to determine whether they are working and whether adjustments are needed.
3. Propose to the COP the extension of the ad hoc Working Group's mandate and the activities that have not been completed or that require follow-up, according to the evaluation presented.

This document was discussed, drafted, and submitted by the *Working Group of the Public on Defenders*.

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