

Opening Speech by Karetta Crooks Charles
Alternate Elected Representative of the Public for the Escazu Agreement (Saint Lucia)
Wednesday, April 20, 2022

On behalf of civil society and my fellow representatives of the public, I bring you warm greetings from Saint Lucia and the rest of the Caribbean.

By now the Escazu Agreement is known as an Agreement created by the people and for the people of Latin America and the Caribbean, as we strive towards the creation of a healthy environment through the provision of access rights.

Like protective parents, we have nurtured the Escazu Agreement over the years and have seen it through teething pains and now we have a more mature Agreement that all parties and citizens of Latin America and the Caribbean should be proud of as we enter this new phase.

While we are proud of what has been accomplished thus far, we are fully aware that the work continues. At this first Conference of the Parties (COP) of the Escazu Agreement we commend the parties and members of the public for their work in putting together the revised proposal on the Rules of Procedure on the Conference of the Parties. The members of the public wholeheartedly support the proposal because it is in keeping with the modus operandi of ensuring the meaningful participation of the public in all aspects of shaping and implementing this Agreement.

Over the years, we have maintained continuous dialogue with the Presiding Officers through in person or virtual meetings. These meetings have allowed the representatives of the public to channel important information to the wider public as well as bring their concerns to the Presiding Officers for consideration. As such, we are delighted that the proposed Rules of Procedure for the COP makes provision for preparatory meetings and at least one face-to-face meeting at the beginning of each meeting of the COP.

The holding of public meetings of subsidiary bodies, which ensures the significant participation of the public is also commendable. The Sustainable Development Goals seek to advance gender equality and ensure that no one is left behind, as such the representatives of the public also appreciate that the parties ought to ensure adequate geographical representation and gender balance is facilitated at meetings of the subsidiary bodies. The Caribbean region is often underrepresented or unrepresented at international fora, as such, as a resident of a developing country, I applaud the efforts by the Escazu Agreement to ensure the continued inclusion of Caribbean delegates and members of the public in the process. Therefore, I take this opportunity to call on the public, especially from the Caribbean, to pay close attention to the Escazu Agreement, sign up to the Regional Public Mechanism and advocate for your countries to become Parties to the Agreement. For those who are already Parties, advocate for the implementation of the Agreement because while we may be fortunate to not have environmental defenders being killed in the Caribbean, Escazu is equally important to us because too often sensitive lands are threatened by mega development projects which often negatively affect our biodiversity as well as those who rely on the environment for their livelihood.

Also noteworthy, is that the proposed Rules of Procedure ensures that all public sessions shall be streamed live. This is particularly important considering that the ongoing pandemic has resulted in greater restrictions which might prohibit the in-person participation of a large cross section of the public.

Also important is ensuring that meetings of the COP not only be open to the public, but that the public can make statements during meetings in an interactive and dynamic way as they have been able to do during the negotiation phase. The Escazu Agreement has been known for ensuring that everyone is heard during the proceedings, regardless of whether they are representatives of a Party, an Observer, international agencies, elected representatives of the public or our alternates, or members of the public. We hope that parties will ensure that this provision is upheld as outlined in the proposal on the Rules of Procedure as we enter this next phase of the Conference of the Parties.

Now shifting gears to implementation - without a functional compliance mechanism, the Escazu Agreement will not be able to operate effectively, thereby, resulting in the improvement of access rights in our region. As such, the elected representatives of the public call on the parties of the first COP to adopt the revised proposal on the rules relating to the structure and functions of the committee to support the implementation and compliance.

We are particularly pleased that the proposal ensures that the Presiding Officers shall invite the elected representatives of the public to participate in a meeting and consult them regarding the possible candidates, prior to preparing the roster for consideration by the Conference of the Parties.

Whilst the Implementation and Compliance Mechanism is non-adversarial, non-judicial and non-punitive, it is our hope that all Parties will take heed of the observations provided by the Compliance Committee and adopt the necessary measures and recommendations to address any communications. For the Escazu Agreement to not be another treaty which gathers dust, it is integral for all Parties involved to understand the importance of abiding by the compliance rules. If Parties encounter difficulties implementing the rules, it must be highlighted that the compliance committee shall provide advice and support to Parties in the implementation of and compliance with the Agreement. So, at no juncture should Parties feel that they are alone on what may appear to be a daunting journey. Instead, the Escazu Agreement through these proposals are geared towards ensuring Parties comply as they effectively implement the Agreement.

The most important aspect of this governance mechanism is giving the public the ability to make submissions before the Compliance Committee. The public are the ones most directly affected in the decision-making processes around the environment and should have a voice. We also strongly support the ability for the Committee to recommend protective measures for the public and human rights defenders in environmental matters at risk.

Another important tool we look forward to contributing to is the register of cases to be maintained by ECLAC. The collation of the register can serve as a learning instrument to guide Parties on how they should proceed to avoid non-compliance with the Agreement.

In closing, we take this opportunity to commend ECLAC, the Technical Secretariat for the Escazu Agreement, for their stellar work over the years. Their continuous support of the public in shaping this process is admirable.

It has been our absolute honour and privilege to serve over the years and to work closely with ECLAC, the Parties and members of the public in shaping this historic Agreement. As this current crop of elected representatives of the public demit office, we ask, will those members of the public from Latin America and the Caribbean who have been following this process closely and contributing to it so richly, answer the call? Will you step up to the plate and see this process through?

The theme for Earth Day to be observed on 22nd April, 2022 states, “Invest in our Planet”. We hope that you will invest your time, energy and expertise in ensuring that our respective countries effectively implement the Escazu Agreement. Why? Simply because the Escazu Agreement has the ability to protect our environment, protect our environmental defenders and safeguard a healthy environment for our present and future generations. That certainly sounds like a worthwhile investment.

Thank you.