



*MISSION PERMANENTE DU BRESIL AUPRES DE L'OFFICE DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS INTERNATIONALES A GENEVE
Chemin Camille-Vidart 15, 1202 Genève*

Nº 189 /2025

The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to refer to the joint communication OL BRA 7/2024 by the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the human right to a clean, healthy and sustainable environment; and the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, which requested information on the process of ratification of the Regional Agreement on Access to Information, Public Participation, and Access to Justice in Environmental Matters in Latin America and the Caribbean ("Escazú Agreement").

The Permanent Mission of Brazil in Geneva would like to forward the attached inputs from the Government of Brazil regarding the aforementioned letter.

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 16th April, 2025.

*To the Office of the United Nations High Commissioner for Human Rights
(OHCHR);*

Special Procedures Branch

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ANNEX

INPUTS FROM THE GOVERNMENT OF BRAZIL

REGARDING PROGRESS TOWARDS RATIFICATION OF THE REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (THE ESCAZÚ AGREEMENT)

The Regional Agreement on Access to Information, Public Participation, and Access to Justice in Environmental Matters in Latin America and the Caribbean ("Escazú Agreement") was submitted for ratification by the National Congress through Message No. 209/2023, dated May 12, 2023. It was distributed in the Chamber of Deputies for consideration by the Committees on Foreign Relations and National Defense (CREDN); Environment and Sustainable Development (CMA); Finance and Taxation (CFT); and Constitution, Justice, and Citizenship (CCJC).

The rapporteur of the aforementioned Message in CREDN, Congressman Amom Mandel (Citizenship/AM), presented a favorable vote for the approval of the text in the form of a Legislative Decree Bill on September 26, 2023. The report was included in the Committee's agenda on December 6, 2023, but has not been voted on since then. It is worth noting that there is an urgent request for the matter pending deliberation.

Aware of the relevance of the Escazú Agreement for environmental governance, the protection of environmental defenders, the guarantee of transparency, and the promotion of social participation in decision-making, the Ministry of the Environment and Climate Change has been monitoring the progress of the matter from the beginning, maintaining a permanent dialogue with the current rapporteur, Congressman Amom Mandel, as well as with other parliamentarians, other Ministries, and the Secretariat of Institutional Relations of the Presidency of the Republic (SRI/PR).

It should be noted that the ratification of the Escazú Agreement is included in the list of priority legislative proposals ("Union and Reconstruction Agenda 2025") presented by the Federal Government to the National Congress at the beginning of the 2025 legislature. Once approved in CREDN, the agreement will be considered simultaneously by the other committees before being voted on in the Plenary of the Chamber of Deputies. Subsequently, it will also have to pass through the Federal Senate.

Although the Agreement has not yet been ratified, Brazil participates as observer in its Conferences of the Parties.

While awaiting ratification, the Brazilian government seeks to implement the spirit of the Escazú Agreement in its policies.

Background Information:

The Escazú Agreement was signed by Brazil in New York on September 27, 2018, on the sidelines of the 73rd United Nations General Assembly. The text is based on the Declaration on Environment and Development, signed at the United Nations Conference on Environment and Development in 1992, and the Declaration on the Application of Principle 10 of the Rio Declaration on Environment and Development, adopted in 2012, both in Rio de Janeiro.

In addition to hosting these two conferences, Brazil actively participated in the negotiations of the Agreement within the framework of ECLAC, was among its original signatories, and initiated the ratification process in 2018. Following Brazil's signing of the Agreement, the Interministerial Explanatory Memorandum 325/2018 was prepared and sent for consideration by the National Congress. The final text of the Agreement was submitted to the Legal Advisory of the Ministry of Foreign Affairs in June 2018, which issued an opinion indicating that there were no international legal obstacles to its signing by Brazil.

In November 2022, the ratification and implementation of the Escazú Agreement was one of the recommendations made and accepted by Brazil during the Universal Periodic Review at the Human Rights Council.

At the beginning of 2023, consultations and procedures were carried out, resulting in the elevation of the matter to the Office of the Chief of Staff of the Presidency through Interministerial Explanatory Memorandum (EMI) No. 65, which found full compatibility between the Regional Agreement and Brazilian legislation, the final step before submission to Congress on May 12, 2023.