

PUBLIC STATEMENT

Building a more transparent and sustainable future: the key role of access to information in promoting environmental democracy





MINISTÉRIO DA Relações Exteriores

CONTROLADORIA-GERAL **DA UNIÃO**





TRANSPARENCY AND ACCESS TO INFORMATION NETWORK XXVI MEETING

PUBLIC STATEMENT

Building a more transparent and sustainable future: the key role of access to information in promoting environmental democracy

XXVI Meeting of the Assembly of the Transparency and Access to Information Network (RTA) on May 15 and 16, 2024, in Brasilia, Brazil

Considering that the Transparency and Access to Information Network, according to its Statute, is an international forum made up of Ibero-American authorities responsible for guaranteeing the right of access to information, whose objective is to maintain a permanent and formal space for dialogue, cooperation, as well as the exchange of knowledge and experiences among its members.

Observing that Access to Information is a human right recognized in International Conventions such as the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the United Nations Convention on the Rights of the Child; the United Nations Convention on the Rights of Persons with Disabilities; the Convention on the Elimination of All forms of Discrimination against Women; the United Nations Convention against Corruption; the American Convention on Human Rights; the European Convention on Human Rights; the Council of Europe Convention on Access to Official Documents; and the Inter-American Convention on the Protection of the Human Rights of Older Persons.

Highlighting that the 1992 Rio Declaration on Environment and Development establishes in its principle 10, the need to guarantee participation, Access to Information and access to justice in environmental issues.

Reinforcing that in the Declaration on the Application of Principle 10 of the Rio Declaration, formulated by the countries of Latin America and the Caribbean at the United Nations Conference on Sustainable Development (Rio+20), held in Brazil in 2012, it is reaffirmed the commitment to the rights of Access to Information, participation and justice in environmental issues and the need to assume commitments for the full application of these rights was recognized.





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Remembering that the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), signed in 2018, is a regional regulatory instrument of Principle 10 of the Rio Declaration and aims to guarantee the full and effective implementation, in Latin America and the Caribbean, of the rights of Access to Environmental Information, public participation in environmental decision making processes and access to justice in environmental matters, as well as the creation and strengthening of capacities and cooperation, contributing to the protection of the right of each person, of present and future generations, to live in a healthy environment and sustainable development.

Considering also that the Inter-American Court of Human Rights recognized the right to a healthy environment as a human right in 2017, through Advisory Opinion No. 23 of 2017 (OC-23/17).

Remembering that the right of Access to Information is not only essential to promote more just, peaceful and inclusive institutions, but is also a key element to advance the fulfillment of the 2030 Agenda for Sustainable Development, adopted by the General Assembly of the United Nations and that this right was enshrined in goal 16.10: ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

Recognizing that the Ibero-American region is a progressive region in environmental matters and access to information and that it is a reference in providing guarantees in these areas, but that it has important challenges in the search for more equitable access to information, in mitigation vulnerability, social problems and risks to the lives of environmental defenders and in the promotion of freedom of expression on environmental issues.

Declare

- 1. That Access to Information is a fundamental instrument for the defense of the environment and participation in environmental processes. To implement democracy and participate in decisions it is necessary to know. In this way, the laws and policies on transparency and access to information play a fundamental role in guaranteeing democratic processes. Environmental decision-making processes must be inclusive and transparent, allowing all stakeholders to understand the process and consciously participate.
- 2. That access to information is also an instrument to control and fight against corruption in environmental issues. The transparent management of





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environmental processes provides social and state control, reducing the risk of illicit processing that, in addition to economic losses, damages the environment. Institutions and companies must be accountable for their environmental actions and maintain accurate and transparent records of their activities.

- 3. That members of the RTA (by its acronym in Spanish) ratify their commitment to socialize, promote and guarantee access to environmental information, as a fundamental pillar for citizens informed about the environment and the needs that today requires.
- 4. That as established in Principle 10 of the Rio Declaration on Environment and Development, the best way to handle environmental issues is with the participation of all concerned citizens, at the relevant level. Each individual shall have appropriate Access to Information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes.
- 5. That populations in vulnerable situations, including indigenous people and traditional communities, are more exposed to the effects of misinformation and the consequences of irresponsibility regarding the environment. Therefore, it is essential design public policies that promote digital, media and informational skills, considering their needs and particularities, and ensuring that their rights are respected in the design and implementation of policies that address the rights of access to information, participation and environmental justice.
- 6. That it is necessary to support the strengthening and expansion of protection programs for human rights defenders, within the scope of our competencies', especially defenders of environmental issues, with the Escazú Agreement as a reference and in accordance with the highest international standards.
- 7. That it is necessary to minimize unequal Access to Environmental Information, which can generate disparities in participation. In this sense, access to information must be provided in clear and understandable language for all audiences, timely, in addition to promoting the availability of environmental data in an open format to allow society to produce accessible knowledge and monitor government activities.
- 8. That proactive publication of information and environmental democracy are fundamental pillars for the sustainable protection of the environment. By





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adopting practices that promote access to information, public participation and accountability, a more just and sustainable future can be ensured.

9. The RTA will continue participating in this process, putting special attention to the results of the Working Group on Environmental Democracy.

Brasilia, May 15, 2024.





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