Public consultation: Assessment of the situation of persons, groups and organisations that promote and defend human rights in environmental matters

- *The deadline for completing the online questionnaire* ***is 18 October at 23:59 (GMT -4).***
- *Anyone from the public who has registered on the Regional Public Mechanism platform using their email address may take part at: https://publicoescazu.cepal.org/en/*
- *To complete the survey, you must log in using your email address so that you can save your answers and return to the survey later.*
- ***Forms submitted in writing, by email or outside the platform will not be accepted.***
- *Responses will be* ***completely anonymous*** *and will not be linked to your account's personal data. This means that your personal account information will not be stored alongside your survey responses.*
- *Responses collected via this tool will be managed directly by the Secretariat's team, and their confidentiality will be ensured in order to protect the integrity of the participants.*

I. PART ONE: Participant profile

For statistical purposes and for intersectional analysis, please provide the following information:

Note: The information collected through this tool will be managed directly by the Secretariat's team, and its confidentiality will be ensured through the use of mechanisms to safeguard personal data and information that may be sensitive or should not be disclosed, to safeguard the integrity of the participants.

1. Country of nationality or residence

**Choose 1 option*

- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Bahamas
- ☐ Barbados
- ☐ Belize
- ☐ Bolivia
- ☐ Brazil
- ☐ Chile
- ☐ Colombia
- ☐ Costa Rica
- ☐ Cuba
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ El Salvador
- ☐ Grenada
- ☐ Guatemala
- ☐ Guyana
- ☐ Haití
- ☐ Honduras
- ☐ Jamaica
- ☐ Mexico
- ☐ Nicaragua
- ☐ Panama
- ☐ Paraguay
- ☐ Perú
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Suriname
- ☐ Trinidad and Tobago
- ☐ Uruguay
- ☐ Venezuela
- ☐ Other

If 'Other', please specify which country:

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2. Type of participation

Please indicate whether you are completing this questionnaire in a personal capacity or on behalf of a group, organisation or institution:

- ☐ As an individual
- ☐ On behalf of an organization or institution

3. Gender

Please indicate which of the following genders you identify with:

- ◯ Female
- ◯ Male
- ◯ Prefer not to say
- ◯ Other

If 'Other', please specify:

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4. Age (optional)

Please indicate which age group you belong to:

- ◯ 18 or under
- ◯ 18-29
- ◯ 30-49
- ◯ 65 or over
- ◯ 50-64

5. Sector

Please indicate whether you belong to:

- ◯ Civil society/NGOs
- ◯ Indigenous peoples and local communities
- ◯ Private sector/businesses
- ◯ Academia/research centre
- ◯ Media
- ◯ Other

If 'Other', please specify

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6. Activities to promote or defend human rights in environmental matters (optional)

Please indicate whether you, your group, organisation or institution carries out activities to promote or defend human rights in environmental matters:

**Only choose one option.*

- ◯ No
- ◯ Yes

II. PART TWO: General sources of information

This section aims to identify records, databases, reports or statistics (from public sources as well as from non-state sources such as civil society and academia) that provide verifiable data for the Regional Assessment.

7. Official sources

Are you aware of any official records, statistics or reports (from the government or international organisations), that document the situation of human rights defenders in environmental matters* in your country?

**NOTE: As defined in the Escazú Agreement, this study takes a broad view of the term to include "persons, groups and organisations that promote and defend human rights in environmental matters", whether on a frequent and systematic basis or temporarily and sporadically, in a personal or professional capacity, through formal and structured organisations or groups, informal structures, or acting individually. It is not necessary for them to have legal or formal recognition, nor do they need to self-identify as such (ECLAC, 2023).Furthermore, the report by the Special Rapporteur on the situation of human rights defenders uses the term "environmental human rights defenders" to refer to individuals and groups who, in a personal or professional capacity and through peaceful means, strive to protect and promote human rights related to the environment, in particular water, air, land, flora and fauna.*

◯ I am not aware of any sources
◯ There are no sources
◯ Yes

If "Yes". Please provide the name of the institution, the title of the report or record, and the web link (URL) if available:

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8. Unofficial sources

Are you aware of any databases, monitoring reports or independent (non-governmental) research that compiles information on the situation of environmental defenders in your country?

◯ I am not aware of any sources
◯ There are no sources
◯ Yes

If "Yes", please provide the name of the organisation or institution that produced the document, the title of the document and the web link (URL), if available:

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9. Documents and contributions (optional)

In this field, you may attach any documents, reports, or databases you consider relevant to provide additional information from the mentioned sources.

III. PART THREE: Safe and enabling environment for the promotion and defense of human rights in environmental matters

This section aims to compile specific and available information on civic space and the existence of records of attacks, threats or intimidation against human rights defenders in environmental matters.

10. Safe and enabling environment

Do you consider it possible in your country to carry out activities to promote or defend human rights in relation to environmental matters in a safe and enabling environment*, free from threats, restrictions or insecurity?

***NOTE:** Article 9(1) of the Escazú Agreement establishes a general, structural or systemic obligation to guarantee a safe and enabling environment for the promotion and defence of human rights in environmental matters. Such an environment allows for the free exercise of rights without discrimination, threats, restrictions or insecurity (ECLAC, 2023). In their reports, the United Nations Special Rapporteurs on the situation of human rights defenders have identified a number of key elements for ensuring a safe and enabling environment: the adoption of an appropriate legal and institutional framework; the fight against impunity and access to justice; a robust and independent national human rights institution; effective protection policies and mechanisms; respect for and support from non-state actors for the work of defenders; and a strong community of defenders, amongst other elements (A/HRC/25/55).*

- ◯ Yes, always
- ◯ Mostly yes
- ◯ Rarely
- ◯ No, never
- ◯ I have no information

11. Please briefly explain your answer: (2000 characters max.)

12. Persons or groups in vulnerable situations

Do you identify any specific persons or groups that are in a situation of vulnerability* when carrying out activities to promote or defend human rights in environmental matters in your country?

**NOTE: The Agreement pain particular attention to persons and groups in vulnerable situations, defined as those who face particular difficulties in fully exercising their rights of access due to circumstances or conditions as understood within the national context of each Party and in accordance with its international obligations. Consequently, each of the main pillars sets out measures relating to vulnerable individuals and groups, based on a rights-based approach (ECLAC, 2023).*

**Choose as many as you like:*

- ☐ Indigenous peoples
- ☐ Women environmental defenders
- ☐ Park rangers, forest rangers or staff in protected areas
- ☐ Lawyers or legal defenders of environmental causes
- ☐ Local and rural communities
- ☐ Journalists
- ☐ Young people
- ☐ Other
- ☐ I don't have any information

If "Other" please specify:

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13. Please briefly explain your previous answer: (2000 characters max.)

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14. Information on attacks, violations and the number of victims

Are there any official or non-offical records in your country or territory of cases of attacks, threats or intimidation against individuals, groups or organisations on account of their activities to promote or defend human rights in environmental matters over the last five years?

**NOTE*: *Article 9.3 of the Agreement provides that "Each Party shall take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidation that human rights defenders in environmental matters may suffer in the exercise of the rights set out in this Agreement." Examples of attacks committed against human rights defenders include murder, death threats, abductions, enforced disappearances, torture and ill-treatment, arbitrary detention and imprisonment, accusations of criminal and other offences leading to prosecutions, convictions and criminalisation, and civil actions that are unfounded or intended to harass (for example, strategic lawsuits against public participation), all forms of harassment and defamation, amongst others. (ECLAC, 2023, based on OHCHR, Fact Sheet No. 29, Human Rights Defenders: Protection of the Right to Defend Human Rights, August 2004). The term 'cases' refers to cases that have been reported, recorded, verified and/or well documented by a competent or recognised national or international institution with a high level of credibility, which include a minimum of relevant information about the individuals and the specific circumstances, and which provide reasonable grounds to believe that those individuals have been victims of the acts in question.*

- ◯ I have no information.
- ◯ There are no records.
- ◯ Yes, there are records or statistics

If you are aware of any, please state who compiles them, the name of the report and the URL, if available:

15. Type of attacks and violations

If such records exist, please indicate what types of attacks and breaches have been reported and/or documented in your country or territory over the last five years:

**NOTE: This list includes a number of human rights violations and offences. The different categories of violations covered by this question have been defined in accordance with international law, technical standards and monitoring practices developed by OHCHR and other international mechanisms. The categorisation of offences has been carried out in accordance with the 'International Classification of Crimes for Statistical Purposes' (ICCS) published by the United Nations Office on Drugs and Crime (UNODC), as applied to Article 9 of the Agreement.*

**Choose as many as you like*

- ☐ Homicides
- ☐ Enforced disappearance
- ☐ Abduction
- ☐ Criminalisation and misuse or abuse of the law
- ☐ Online attacks and digital violence on social media
- ☐ Unlawful restrictions on the right to freedom of expression and of the press
- ☐ Damage to property
- ☐ Discriminatory barriers or unlawful restrictions on access to legitimate environmental funding
- ☐ Torture
- ☐ Arbitrary detention
- ☐ Threats and intimidation
- ☐ Stigmatisation and smear campaigns
- ☐ Sexual violence
- ☐ Unlawful restrictions on peaceful assembly and protest
- ☐ Unlawful, arbitrary or discriminatory restrictions on the right of association
- ☐ Other

If "Other", please specify:

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16. Documents and contributions (optional)

In this field, you may attach any documents or materials you consider relevant to provide evidence or additional information to your answers.

17. Complaints filed

Where applicable, have you, your group or organisation reported* any of the attacks or violations described in the previous question, relating to your peaceful activities to promote or defend human rights in environmental matters, over the last five years?

**NOTE: This refers to complaints lodged with a competent national (judicial or non-judicial) or international body.*

- ○ No, I have not been a victim of such attacks or abuses
- ○ I have been a victim of this type of attack or abuse, but I have not reported it
- ○ Yes, I have reported attacks or violations

If "Yes", please specify to which body or bodies you lodged the complaint (national or international bodies):

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18. Reasons for not reporting assaults

If you, your group or your organisation experienced such attacks but did not report them, why was that?

**Choose as many as you like*

- ☐ Lack of information on where or how to report an incident.
- ☐ Fear of reprisals or further threats.
- ☐ Lack of trust in the authorities or state institutions.
- ☐ Excessively lengthy, costly or complex procedures.
- ☐ Lack of connectivity, internet access or physical distance from public offices.
- ☐ Language barriers
- ☐ Other

If 'Other', please specify:

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19. Documents and contributions (optional)

In this field, you may attach any documents or materials you consider relevant to provide additional information to your answers.

IV. PART FOUR. National instruments and mechanisms relating to prevention, protection and punishment

This section examines the existence of legal frameworks, policies and instruments – whether international or national – relating to the prevention, protection and punishment of attacks, threats or intimidation against individuals, groups and organisations that promote and defend human rights in environmental matters.

20. International and regional instruments and mechanisms

Have you requested protective measures or lodged complaints with international or regional bodies* (for example, the Inter-American System or the UN) regarding attacks on environmental defenders?

**NOTE: This refers to mechanisms and instruments of intergovernmental, international and regional human rights monitoring bodies, such as those within the United Nations system or other regional mechanisms such as the Inter-American Human Rights System.*

- ○ No, never
- ○ Yes

If "Yes", please specify the mechanism or system used:

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21. National legal framework

Do you know whether there is any specific law, decree or regulation in your country that formally recognises, promotes or protects the rights of individuals, organisations or groups defending human rights in environmental matters?

- ☐ I don't have information
- ☐ There is none
- ☐ Yes, there is regulation that protects human rights defenders including in environmental matters

22. Identification of the regulations

If so, please specify the regulation or law if you know it: (2000 characters max.)

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23. Prevention and Early Warning Mechanisms

Do you know whether there are any mechanisms, prevention plans or early-warning systems in your country designed to identify risks and anticipate attacks against human rights defenders in environmental matters?

**NOTE: Such as risk maps, public campaigns to recognise their work, monitoring systems and government early-warning alerts.*

☐ I don't have information

☐ There is none

☐ Yes

If "Yes", please specify which ones and which organisation coordinates them:

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24. Protection measures

Do you know if there are any programmes, action protocols or security measures in your country designed to provide urgent protection for environmental defenders who are under threat or facing imminent danger?

** NOTE: This includes measures such as bodyguards, home security measures, safe houses, emergency evacuation, panic buttons or specific police protocols.*

☐ I don't have information

☐ There is none

☐ Yes

If the answer is 'Yes', please state which measures or programmes you are aware of and which organisation is responsible for them:

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25. Access to justice and sanctions

Do you know whether there are specific mechanisms or protocols in your country for investigating, prosecuting and imposing criminal penalties for threats, attacks or offences committed against environmental defenders?

**NOTE: This includes mechanisms such as public prosecutors' offices specialising in human rights or the environment, specific police protocols for criminal investigations relating to defenders, or dedicated judicial units.*

☐ I have no information

☐ They do not exist (they are investigated as ordinary criminal offences without any special focus)

☐ Yes

If "Yes", please specify them:

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26. Documents and contributions (optional)

In this field, you can attach documents such as laws, protocols or national reports that you consider relevant to support your answers.

V. PART FIVE. Practices, community initiatives and self-protection strategies

This section aims to identify the practices, initiatives, support networks and protection strategies that individuals, communities or groups defending human rights in environmental matters implement autonomously and independently of state measures.

27. Practices, initiatives or strategies

Are you aware of any (non-state) practices, care networks, initiatives or self-protection strategies in your country that are led independently by environmental defenders or communities?

◯ I don't have any information

◯ No

◯ Yes

If "Yes", please state who is leading or driving this initiative and, if possible, their name or a brief description:

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28. Types of protection strategies

If so, please indicate what sort of self-protection strategies or practices exist in your country:

**Choose as many as you like*

- ☐ Physical and Territorial Security: Community support, monitoring patrols or community watch schemes, local evacuation routes, temporary shelters or community safe houses.
- ☐ Holistic Wellbeing, Healing and a Gender Perspective: Collective care practices, community and ancestral healing, mutual support networks amongst women land defenders, or respite centres.
- ☐ Territorial Monitoring: Citizen monitoring groups, community-led early warning systems
- ☐ None of the above
- ☐ Digital and Information Security: Encryption of the organisation's communications, use of virtual private networks (VPNs), secure storage of complaint data, or local protocols for dealing with digital harassment.
- ☐ Legal Security and Partnerships: Monitoring and documenting attacks, citizen observatories on court rulings, community legal aid clinics or networks of pro bono lawyers.
- ☐ Communication and Visibility: Communication partnerships with alternative media, campaigns to raise awareness of and highlight their advocacy work, or international solidarity networks.
- ☐ Other

If "Other", please specify:

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29. Documents and contributions (optional)

In this field, you may attach any documents or materials you consider relevant to provide additional information to your answers.

30. Acknowledgement by the State

Is there any **acknowledgement or support from the state** in your country (through legislation, decree, policy, practice or protocol) for self-protection practices, initiatives or strategies?

- ○ I have no information
- ○ There is no acknowledgement or support
- ○ Yes

If "Yes", please specify the regulation, instrument or policy:

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31. Support by non-state parties

Do these community-led self-protection strategies receive any support from non-state actors in your country?

☐ No

☐ I don't have information

☐ Yes

If "Yes", please briefly state the source of the support (civil society, NGOs, the private sector or businesses, academic institutions or research centres, or other sources), and what type of support is provided (technological, legal, psychological, financial, other):

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32. Final comments (optional)

Would you like to share any further information or final comments that you consider relevant regarding the promotion and defence of human rights in environmental matters in your country? (2000 characters max.)