



The Comic Book

Giulia Parola, Margherita Paola Poto, and in coordination with Flávia Fernandes, Luiz Fernando Giesta, Aline França, Marcela Aguiar, Giselle Cardoso, Adriana Molina, Beatriz Storino, Mariana Pauzeiro, Loyuá Costa, Igor Kall, Caroline Macel, Silvano Chue Muquissai

Abstract This chapter contains the comic book, realised following the methodological steps analysed in the previous chapters. The participants in the comic format close the book.

Keyword Book in comics · Escazú Agreement · Environmental Participation · Chiquitano indigenous people

G. Parola
University of Turin, Turin, Italy
e-mail: giulia.parola@unito.it

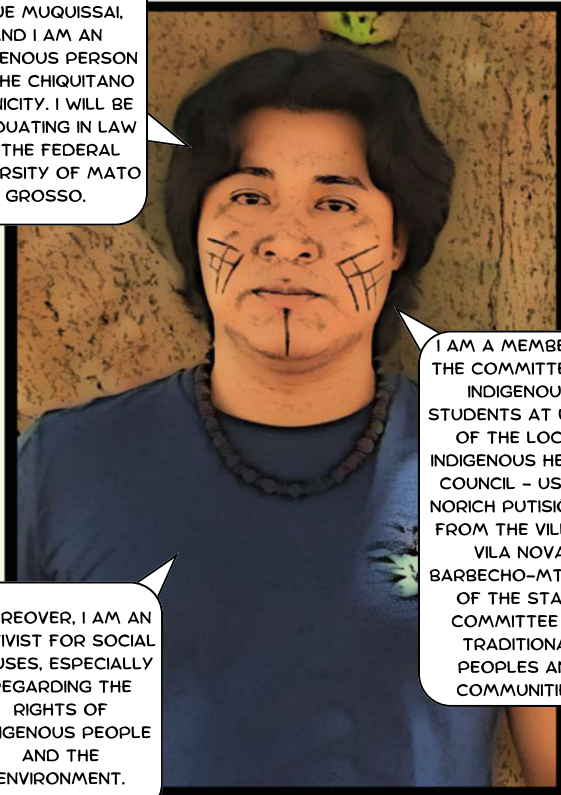
M. P. Poto (✉)
Faculty of Law, UiT The Arctic University of Norway, Tromsø, Norway
e-mail: margherita.poto@uit.no

© The Author(s) 2024
M. P. Poto and G. Parola (eds.), *Building Bridges for Effective Environmental Participation: The Path of Law Co-Creation*, Human Rights Interventions, https://doi.org/10.1007/978-3-031-52791-3_5

INTRODUCTION TO THE ESCAZÚ AGREEMENT

THIS COMIC BOOK IS ABOUT THE ESCAZÚ AGREEMENT, AN AGREEMENT WITHIN LATIN AMERICA AND THE CARIBBEAN, WHICH HAS BEEN APPROVED BY THE REGIONAL COUNTRIES. IT IS A SOURCE OF GREAT PRIDE.

MY NAME IS SILVANO CHUE MUQUISSAI, AND I AM AN INDIGENOUS PERSON OF THE CHIKUITANO ETHNICITY. I WILL BE GRADUATING IN LAW AT THE FEDERAL UNIVERSITY OF MATO GROSSO.



I AM A MEMBER OF THE COMMITTEE OF INDIGENOUS STUDENTS AT UFMT; OF THE LOCAL INDIGENOUS HEALTH COUNCIL - USINHÁ NORICH PUTISIÓRCH, FROM THE VILLAGE VILA NOVA BARBECHO-MT; AND OF THE STATE COMMITTEE OF TRADITIONAL PEOPLES AND COMMUNITIES.

MOREOVER, I AM AN ACTIVIST FOR SOCIAL CAUSES, ESPECIALLY REGARDING THE RIGHTS OF INDIGENOUS PEOPLE AND THE ENVIRONMENT.

THIS IS THE FIRST AGREEMENT IN THIS REGION TO DEAL WITH ENVIRONMENTAL THEMES AND SEEK THE PROMOTION AND PROTECTION OF HUMAN RIGHTS DEFENDERS IN ENVIRONMENTAL AFFAIRS. THIS CONTINUES TO HAVE A SPECIAL RELEVANCE TO US, THE CHIQUITANO, CONSIDERING HOW DIFFICULT IT IS TO DEFEND THE ENVIRONMENT AND LAND, OUR CULTURE AND TRADITIONS OVER HERE.



ELENA LAURA CHUE IS AN ELDER FROM THE VILLAGE VILA NOVA BARBECHO. SHE HAS BEEN AN ACTIVIST HER WHOLE LIFE, ALWAYS FIGHTING AND STRUGGULING FOR THE COMMUNITY IN THE VILLAGE AND ANY ENVIRONMENT SHE LIVED IN. SHE HAS ALWAYS FOUGHT FOR THE RIGHTS OF THE INDIGENOUS PEOPLE, AS WELL AS FOR ALL LESS FORTUNTE PEOPLE

HER DIRECT PARTICIPATION IN THE INTERNAL SOCIAL ORGANIZATION OF THE VILLAGE CONTRIBUTED TO HEALTH IMPROVEMENTS, SUCH AS THE CREATION OF THE LOCAL HEALTH COUNCIL.



THE ESCAZÚ AGREEMENT'S OFFICIAL NAME IS THE REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS. IT IS KNOWN AS THE "ESCAZÚ AGREEMENT" BECAUSE IT WAS ADOPTED MARCH 4, 2018, IN THE CITY OF ESCAZÚ, COSTA RICA.

LOOK AT THIS COINCIDENCE: THE NAME ESCAZÚ ALSO HAS AN INDIGENOUS ORIGIN AND MEANS RESTING STONE. WILL WE GET A BREAK FROM ENVIRONMENTAL ISSUES FROM NOW ON? LET'S HOPE SO!

IT TOOK SIX YEARS TO BE FINALIZED AND WAS THE ONLY AGREEMENT THAT CAME OUT OF RIO+20—THE UNITED NATIONS CONFERENCE ON SUSTAINABLE DEVELOPMENT—WHICH TOOK PLACE IN RIO DE JANEIRO IN 2012.



BUT WE STILL HAVE A LONG WAY TO GO...



RECENTLY-MORE SPECIFICALLY, ON JANUARY 22, 2021-ARGENTINA AND MEXICO JOINED OTHER COUNTRIES IN RATIFYING THE ESCAZÚ AGREEMENT THAT ENTERED INTO FORCE ON APRIL 22, 2021.

HOWEVER, WHILE BRAZIL SIGNED THE AGREEMENT ON SEPTEMBER 27, 2018, IT HAS YET TO RATIFY THE AGREEMENT.

BUT WHAT DOES THIS MEAN? THE DIFFERENCE IS IN THE IMPACTS.

SOME COUNTRIES HAVE FORMALLY SIGNED THE AGREEMENT BUT THERE IS NO CONFIRMATION OF IT IMPACTING THE LAWS WITHIN THEIR LEGAL SYSTEM. IN OTHER WORDS, RATIFICATION MEANS THAT THE AGREEMENT IS BINDING FOR ALL THE PEOPLE LIVING IN THE COUNTRY.



WHICH IS WHY WE HAVE SO MUCH HOPE AND MANY EXPECTATIONS THAT THIS AGREEMENT WILL SOON BE BINDING AND VALID HERE IN BRAZIL.



ALL THAT IS MISSING IS A LITTLE PUSH.

NOW, LET'S SEE THE OBJECTIVE OF THE ESCAZÚ AGREEMENT.

ARTICLE 1 OBJECTIVE



THE OBJECTIVE OF THIS AGREEMENT IS TO GIVE ACCESS TO INFORMATION ON THE PROTECTION OF THE ENVIRONMENT, RESULTING IN EVERYONE HELPING EACH OTHER AND HELPING NATURE.



PEOPLE WILL ALSO HAVE THE RIGHT TO PARTICIPATE TO ENVIRONMENTAL DECISION-MAKING.



ADDITIONALLY, PEOPLE WILL HAVE THE RIGHT TO GO BEFORE A COURT TO APPEAL ENVIRONMENTAL DECISIONS THEY DISAGREE WITH.

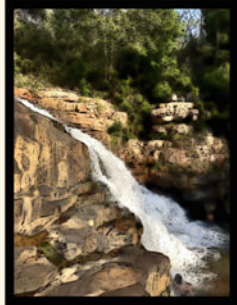


THIS AGREEMENT STRENGTHENS THESE PARTICIPATORY RIGHTS AND ENCOURAGES COLLABORATION FOR THE PROTECTION OF THE ENVIRONMENT.

THIS PROTECTION IS FOR US, AS WELL AS FUTURE GENERATIONS; FOR OUR CHILDREN AND OUR GRANDCHILDREN.



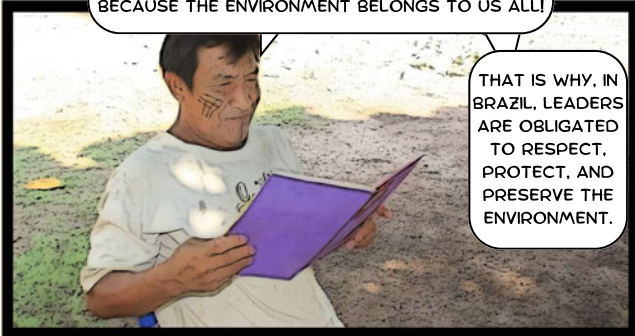
IT IS IMPORTANT TO LIVE IN AN ENVIRONMENT THAT SUSTAINS OUR LIVES, BUT IT IS EQUALLY IMPORTANT TO PROTECT NATURE AROUND US.



FOR THIS REASON ALONE, COUNTRIES FROM LATIN AMERICA SIGNED THE AGREEMENT.



THIS DOCUMENT SAYS THAT EACH AND EVERY ONE OF US HAS ACCESS TO ENVIRONMENTAL RIGHTS BECAUSE THE ENVIRONMENT BELONGS TO US ALL!



THAT IS WHY, IN BRAZIL, LEADERS ARE OBLIGATED TO RESPECT, PROTECT, AND PRESERVE THE ENVIRONMENT.

ALL BRAZILIANS HAVE THE RIGHT TO INFORMATION, PARTICIPATION AND ACCESS TO JUSTICE TO PROTECT THE ENVIRONMENT, REGARDLESS OF RACE, CLASS, GENDER, RELIGION, POLITICAL OPINION OR ANY OTHER CONDITION.





THE PEOPLES AND NATIONS OF LATIN AMERICA ARE DIFFERENT. WE HAVE DIFFERENT CULTURES, BUT ALL SEEK THE SAME THING: TO LIVE IN HARMONY WITH EACH OTHER AND THE ENVIRONMENT.

SILVANO, I DON'T UNDERSTAND WHAT ACCESS RIGHTS ARE. CAN YOU EXPLAIN IT TO ME?

ARTICLE 2 DEFINITIONS



YES, I CAN!

ACCESS RIGHTS GIVE YOU THE POSSIBILITY TO KNOW THE ENVIRONMENTAL DECISIONS OF THE COMPETENT AUTHORITIES, AND ALLOWS YOU TO PARTICIPATE IN THE DECISION-MAKING PROCESS...



...REGARDING THE ENVIRONMENT, AND THE ABILITY TO GAIN ACCESS TO JUSTICE WHICH ENSURES ENVIRONMENTAL PROTECTION!



SILVANO, WHO ARE COMPETENT AUTHORITIES?



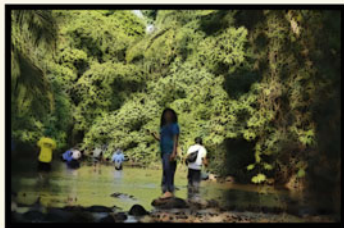
SIMPLE! IT IS ANY INDIVIDUAL WORKING IN PUBLIC SERVICE!

NOW, "ENVIRONMENTAL INFORMATION"...

...IS ANY INFORMATION OR NEWS—AUDIBLE OR WRITTEN, IN ANY WAY—THAT UPDATES US ON THE SITUATION...



...OF THE ENVIRONMENT AND ITS NATURAL RESOURCES!



THE EXPRESSION "PUBLIC" MEANS "THAT WHICH BELONGS TO THE PEOPLE; TO EVERYONE, TO A COUNTRY, TO A CITY"



WHAT IS A VULNERABLE GROUP? IS THAT REALLY HOW YOU SAY IT?

HAHA... THAT'S HOW IT IS PRONOUNCED!



WE CAN SAY THAT THEY ARE PEOPLE WHO EXPERIENCE DIFFICULTIES IN EXERCISING THEIR FULL RIGHTS. PEOPLE THAT ARE EXPOSED TO VIOLATIONS AND SUFFERING.

ARTICLE 3 PRINCIPLES

THIS AGREEMENT IS BASED ON VALUES THAT ARE COMMON AND IMPORTANT TO ALL OF US, NO MATTER OUR ORIGIN OR ETHNICITY. WE ARE ALL EQUAL, WHICH MEANS WE DESERVE TO BE TREATED EQUALLY AND TO ALWAYS HAVE OUR INDIVIDUALITY BE RESPECTED.





NO ONE SHOULD BE DISRESPECTED FOR BEING DIFFERENT.

ANOTHER ASPECT REFERS TO TRANSPARENCY, WHICH IMPLIES THAT OUR RIGHTS MUST BE AS CLEAR AS WATER.

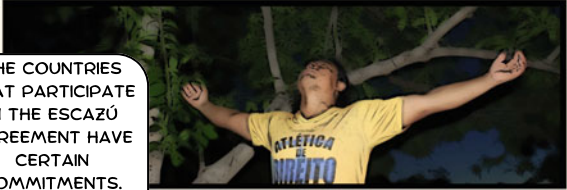


FURTHERMORE, NOBODY CAN TOUCH OUR RIGHTS. WHAT HAS BEEN GIVEN CANNOT BE TAKEN FROM US.


THIS IS BECAUSE WE ACTED IN GOOD FAITH, WITH A KIND HEART, AND WE HOPE THAT EVERYONE WILL ACT IN SUCH A WAY WITH US, AS WELL.




ARTICLE 4 GENERAL PROVISIONS



THE COUNTRIES THAT PARTICIPATE IN THE ESCAZÚ AGREEMENT HAVE CERTAIN COMMITMENTS. THEY MUST, FOR EXAMPLE, ENSURE THAT THEIR PEOPLE LIVE IN HEALTHY ENVIRONMENTS.



THEY MUST ALSO ENSURE THAT OUR RIGHTS ARE EASILY EXERCISED, LIKE OPENING AND CLOSING A DOOR.



AS EASY AS IT IS TO KNOW THAT IT IS GOING TO RAIN BY LOOKING AT THE MOON, IT SHOULD BE JUST AS EASY TO HAVE INFORMATION ABOUT THE ENVIRONMENT.



BUT FOR US TO EXERCISE OUR RIGHTS, WE NEED TO KNOW THEM FIRST.



WHICH WILL GIVE US THE MEANS TO COMPLAIN IF OUR RIGHTS ARE VIOLATED.



THE INTERNET SHOULD BE USED TO BRING PEOPLE TOGETHER AND COMMUNICATION SHOULD BE POSSIBLE IN ALL LANGUAGES, WITHOUT DIFFICULTIES.



THERE ARE 3 RIGHTS IN THE AGREEMENT. LET'S TALK ABOUT THE FIRST ONE: THE "RIGHT OF ACCESS TO ENVIRONMENTAL INFORMATION!"

ARTICLE 5 ACCESS TO ENVIRONMENTAL PROVISIONS





DID YOU HEAR THAT? EVERYONE SHOULD KNOW THAT THEY HAVE THE RIGHT TO ASK AND RECEIVE INFORMATION ABOUT THE ENVIRONMENT!

WHO IS ALLOWED TO REQUEST THIS INFORMATION?



EVERYONE CAN ASK FOR INFORMATION; YOU DON'T EVEN HAVE TO PROVE YOU HAVE AN INTEREST! IN ADDITION...



...THE MOST VULNERABLE SHOULD BE INFORMED ABOUT IMMINENT ENVIRONMENTAL OR HUMANITARIAN PROBLEMS...

...ESPECIALLY THOSE THAT INVOLVE THEM! BEYOND THAT...

...THEY SHOULD ALSO BE TOLD HOW TO GO TO COURT WHEN INFORMATION IS NOT GIVEN!



ALL COUNTRIES THAT HAVE SIGNED THE ESCAZÚ AGREEMENT MUST ENABLE ACCESS TO ENVIRONMENTAL INFORMATION!



THEY MUST ASSIST THE MOST VULNERABLE...

...BY ASKING QUESTIONS AND PARTICIPATING IN DECISIONS THAT INVOLVE THEIR INTERESTS!



WHAT IF WE ARE DENIED THE INFORMATION?



SINCE "ACCESS TO INFORMATION" IS A "HUMAN RIGHT," IT CANNOT BE DENIED!



ACCESS TO INFORMATION CAN ONLY BE DENIED IF THERE ARE LEGAL IMPLICATIONS INVOLVED, SUCH AS A LEGAL OR JUDICIAL PROHIBITION WITH A WRITTEN AND EXPLICIT REFUSAL.



IF THIS OCCURS, THE COMPETENT AUTHORITY MUST GUIDE THE APPLICANT TO...

CHALLENGE OR APPEAL IT!

HOWEVER, IF ANY COUNTRY HAS NO EXCEPTIONS WRITTEN IN THEIR LAW, IT MAY REFUSE TO GIVE ACCESS TO INFORMATION WHEN THIS MAY...



PUT PEOPLE...

OR THE COUNTRY ITSELF AT RISK!

IT ALSO INCLUDES WHEN IT PUTS THE ENVIRONMENT ITSELF AT RISK!



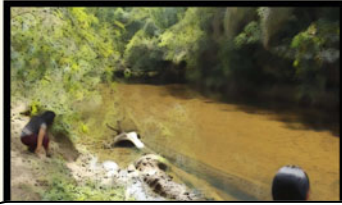
HOW CAN INFORMATION PUT THE ENVIRONMENT AT RISK?



WHEN THE INFORMATION IDENTIFIES A PLACE WHERE PLANTS OR ANIMALS ARE BEING PROTECTED FROM PREDATORS...

THE RIGHT TO INFORMATION IS A HUMAN RIGHT! THEREFORE, IT HAS TO BE RESPECTED!





INFORMATION MUST BE PROVIDED QUICKLY, AND IT MUST BE CLEAR AND FREE!

IN ADDITION, THE PUBLIC AUTHORITIES MUST TELL US HOW WE SHOULD ACT, WHERE TO GO, AND WHO TO LOOK FOR WHEN ACQUIRING THE INFORMATION!

WHEN AN AUTHORITY REFUSES TO PROVIDE THE INFORMATION FOR SOMETHING REQUESTED, IT MUST FOLLOW THE REASONS FOR DENIAL! THEREFORE...



...THE INTEREST OF ALL PREVAILS OVER THAT OF THE PRIVATE INDIVIDUAL!



WE, FOR EXAMPLE, MUST KNOW WHAT HAPPENS IN OUR REGION, WITH OUR FORESTS, RIVERS, AND ANIMALS...



INFORMATION MUST BE PROVIDED PROMPTLY, CLEARLY, AND COMPLETELY FREE...



ESPECIALLY IF AN ENVIRONMENTAL PROBLEM IS ABOUT TO HAPPEN!

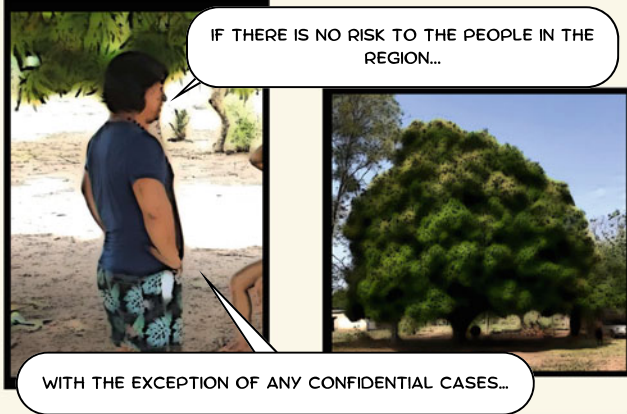


HOW DO WE KNOW WHO IS RESPONSIBLE FOR POLLUTING A REGION?

AFTER CHECKING THE COMPANIES' ACTIONS, THE AUTHORITIES ARE OBLIGED TO INFORM THE PEOPLE...

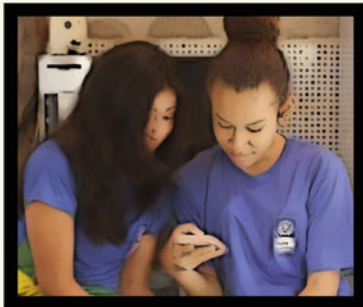


...WHO LIVE NEAR THESE ACTIVITIES ABOUT WHAT COULD HAPPEN IN RELATION TO THESE ACTIVITIES!





WE GET TO CHOOSE HOW THIS INFORMATION COMES TO US!



TO MAKE THIS EASIER, THE COUNTRIES THAT SIGNED AND RATIFIED THE AGREEMENT MUST USE VARIOUS COMMUNICATION TECHNOLOGIES AND PROVIDE INFORMATION IN SEVERAL LANGUAGES!

IN ADDITION TO THESE COMMUNICATION FORMATS AND TECHNOLOGIES, THE INFORMATION MUST BE GIVEN WITHIN 30 DAYS AT THE LATEST!



...IT CANNOT EXCEED 40 DAYS,
EVEN IN SPECIAL SITUATIONS!



INFORMATION ABOUT THE ENVIRONMENT IS CRITICAL FOR ALL OF US!



IF THE AUTHORITIES SAY THEY DO NOT KNOW THE INFORMATION, OR
THAT THEY DO NOT HAVE IT, THEY MUST PROVE THESE STATEMENTS!



BUT SILVANO! WHAT IF THEY
DO NOT WANT TO GIVE US
THIS INFORMATION?

THAT CANNOT BE THE CASE! IF THE AUTHORITIES DO NOT HAVE THE REQUESTED INFORMATION, THEY MUST...



...PROVE IT, OR DIRECT US TO SOMEONE WHO HAS IT!

BUT DENYING INFORMATION, NEVER!



SILVANO, ARE YOU POSITIVE THAT THIS INFORMATION SHOULD BE GIVEN FREE OF CHARGE?



YES! AND ESPECIALLY IF THERE ARE PEOPLE IN VULNERABLE SITUATIONS!

HOWEVER, DELIVERY COSTS ARE CHARGED ONLY TO THOSE ABLE TO PAY, NOT TO THE MOST VULNERABLE.



WELL, WHAT YOU DESCRIBED SEEMS DIFFICULT TO ENFORCE!

OF COURSE NOT! MANY COUNTRIES ALREADY PARTICIPATE IN THIS AGREEMENT!



ALL OF THEM MUST CREATE A SYSTEM THAT FACILITATES ACCESS TO INFORMATION, WHICH IS GUARANTEED FOR EVERYONE!

FURTHER, THIS SYSTEM MUST GUARANTEE THAT EVERYONE UNDERSTANDS!



**ARTICLE 6
GENERATION
AND
DISSEMINATION
OF
ENVIRONMENTAL
INFORMATION**

BY THE WAY, ENVIRONMENTAL
INFORMATION MUST ALWAYS BE
UPDATED...



...AVAILABLE TO EVERYONE AND...

MUST COME IN A VARIETY OF ACCESSIBLE FORMS!



SILVANO! DO WE HAVE ANY WAY OF
KNOWING IF THERE IS CONTAMINATION OF
THE ENVIRONMENT IN A CERTAIN AREA?



YES! GOOD QUESTION!

ENVIRONMENTAL AUTHORITIES MUST PUBLISH A LIST OF CONTAMINATED SITES AND WHAT TYPE OF CONTAMINATION IT IS!

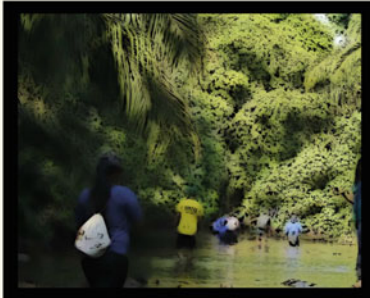
THESE AUTHORITIES MUST DISCLOSE INFORMATION ABOUT THE FACTORIES CONDUCTING ON-SITE ACTIVITIES THAT ARE DANGEROUS FOR THE ENVIRONMENT...

...AND WHETHER OR NOT THEIR ACTIVITIES POSE ANY HARM!



THIS INFORMATION MUST BE COMPLETE, WITH EXPLANATIONS ABOUT THE ENVIRONMENT, RESOURCES...

...PRESERVATION, PROBLEMS, THE ENVIRONMENTAL DEFENDERS AND HOW THEY ACT...



IF INDUSTRIAL ACTIVITY POSES RISKS OF POLLUTION OR IS POLLUTING...



THE AIR, THE SOIL AND THE WATERS OF THE RIVERS OR THE SEAS...



...WE HAVE THE RIGHT TO KNOW!

EVERYONE MUST BE INFORMED IF AN ENVIRONMENTAL ACCIDENT IS ABOUT TO HAPPEN...



...BECAUSE, ONLY THEN, DOES IT BECOMES POSSIBLE TO PREVENT DAMAGE!



...TO PROTECT OURSELVES OR TO ESCAPE, RIGHT, SILVANO?

YES!





THE COOLEST THING ABOUT THE ESCAZÚ AGREEMENT IS THAT IT MUST BE TRANSLATED INTO THE LANGUAGES OF VULNERABLE PEOPLES!

THE CONTENT OF THE AGREEMENT AND THE REQUIREMENTS FOR ITS IMPLEMENTATION MUST BE COMPLETE...



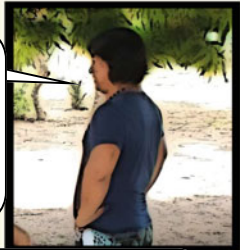
...AND MUST INDICATE NUMBERS, GRAPHICS, AND RULES TO PROTECT THE ENVIRONMENT!



...AND MUST EVEN SHOW THE PROGRESS OF OUR RIGHTS TO ACCESS!



IN SHORT, ANY FACT RELATED TO ENVIRONMENTAL DECISION-MAKING MUST BE MADE KNOWN!



HERE IT SAYS THAT THE PARTICIPATING COUNTRIES MUST INFORM THEIR PEOPLE ABOUT ENVIRONMENTAL PUBLIC POLICIES!

SILVANO, THIS ENVIRONMENTAL INFORMATION THAT YOU JUST TALKED ABOUT ALSO INVOLVES US WHEN WE USE THE WATER FROM A RIVER, RIGHT?



OF COURSE, YES! EVERYTHING!

WE HAVE TO KNOW IF THE WATER OF A RIVER IS NOT SAFE FOR CONSUMPTION, AND IF THE AIR OR SOIL ARE CONTAMINATED!

THE PARTICIPATING COUNTRIES ALSO COMMIT THEMSELVES TO DISCLOSE INFORMATION...



...ABOUT THE PRODUCTION OF GOODS AND SERVICES IF, IN THIS PROCESS, THERE IS AN ENVIRONMENTAL RISK, RIGHT?



FOR EXAMPLE, IF COMPANIES DISPOSE OF THEIR WASTE IN A SAFE AND SUSTAINABLE MANNER...

...OR IF THEY ENSURE FAIR WORKING CONDITIONS AND RESPECT LABOUR LAWS...



...THEY EVEN HAVE TO INFORM US IF GOODS AND SERVICES MIGHT CAUSE POLLUTION OR HARM THE HEALTH OF CONSUMERS!

IN SHORT, ANY RELEVANT INFORMATION MUST ALWAYS BE KEPT UP TO DATE...



...AND ALSO MADE AVAILABLE WHEN ARCHIVED!

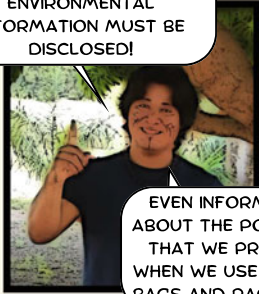


FOR EXAMPLE, WE SHOULD KNOW ABOUT THE AMOUNT OF WASTE DISPOSED ON LAND, IN RIVERS, IN THE SEAS...



EVEN THOSE AGROCHEMICALS IN THE AIR?

YES! EVERYTHING ABOUT ENVIRONMENTAL INFORMATION MUST BE DISCLOSED!



EVEN INFORMATION ABOUT THE POLLUTION THAT WE PRODUCE WHEN WE USE PLASTIC BAGS AND PACKAGING!



IN ADDITION, PRIVATE PARTIES MUST ALSO INFORM US ABOUT THEIR ACTIVITIES AND THE POSSIBLE RISKS TO HUMAN AND ENVIRONMENTAL HEALTH!

AND MORE! PUBLIC AND PRIVATE COMPANIES MUST PRODUCE AND DISCLOSE THEIR REPORTS...



...ABOUT THEIR ACTIVITIES THAT AIM TO ACHIEVE SUSTAINABILITY!

EVERYONE HAS A SOCIO-ENVIRONMENTAL RESPONSIBILITY...



...AND EVERYONE IS OBLIGATED TO REPAIR THE DAMAGE THEY CAUSE TO THE ENVIRONMENT!



IN CONCLUSION, DID YOU ENJOY LEARNING ABOUT THE ESCAZÚ AGREEMENT AND OUR RIGHT TO ACCESS INFORMATION INVOLVING THE ENVIRONMENT?

WE HAD NO IDEA ABOUT OUR RIGHTS RELATED TO ENVIRONMENTAL INFORMATION, SILVANO!



YOU BRING US HOPE!

THANK YOU!

NOW, WE WILL TALK ABOUT THE SECOND RIGHT: "PARTICIPATION TO ENVIRONMENTAL DECISIONS!" DID YOU KNOW THAT WE HAVE THE RIGHT TO PARTICIPATE IN THE DECISION-MAKING THAT IMPACT NATURE AND OUR COMMUNITY?



REALLY? HOW?

**ARTICLE 7
PUBLIC PARTICIPATION
IN THE ENVIRONMENTAL
DECISION-
MAKING
PROCESS**



THE AGREEMENT SAYS THAT EVERYONE WHO HELPED IMPLEMENT THE AGREEMENT—WHICH INCLUDES DRAFTING LAWS AND RULES, AND ENFORCING THEM—CREATED WAYS FOR US TO PARTICIPATE IN THE ENVIRONMENTAL DISCUSSIONS THAT HAVE AN IMPACT ON NATURE, OUR LIVES, AND EVEN ON OUR HEALTH, MAKING OUR OPINIONS AND VOICES HEARD.

HOW COOL IS THAT! BUT WILL THIS WORK? AND WHAT ARE THESE “WAYS CREATED FOR US”?



WELL, WE HAVE THE RIGHT TO INFORMATION ABOUT ANYTHING THAT MAY AFFECT US OR THAT IS DONE IN OUR INTEREST.

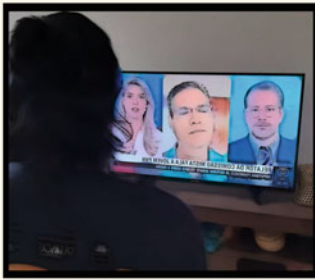


AND—AS IT IS OUR RIGHT TO PARTICIPATE AND BE HEARD—WHEN THERE IS A MEETING TO DISCUSS ENVIRONMENTAL ISSUES, WE NEED TO BE INFORMED OF THE DATE, TIME, AND ADDRESS. THESE MEETINGS CAN BE VIRTUAL, OVER THE INTERNET.



JUST TO GIVE YOU AN IDEA: NOWADAYS, BEFORE THE CENTRAL OR LOCAL GOVERNMENT MAKES A DECISION, PEOPLE NEED TO BE INFORMED THROUGH A PUBLIC CONSULTATION. THIS IS PUBLICLY ANNOUNCED ON THE INTERNET, SO THAT ANYONE INTERESTED CAN GIVE THEIR OPINION. THIS WAY, WE HAVE THE RIGHT TO GIVE OR WITHHOLD CONSENT ABOUT A PROJECT, AND OFFER ADDITIONAL ADVICE.

ANOTHER WAY PARTICIPATION IS GRANTED IS BY HOLDING AN OPEN PUBLIC HEARING, WHERE ANYONE CAN TALK AND SHARE OPINIONS ABOUT THE THEME OF THE HEARING.



THIS CAN ALSO BE DONE DIGITALLY. SO, WITH A COMPUTER OR A CELLPHONE, YOU ALREADY HAVE ACCESS TO THE HEARING AND CAN PARTICIPATE.



THESE PARTIES WILL NEED TO TAKE ALL OF OUR OBSERVATIONS INTO ACCOUNT. TO DO SO, THEY WILL HAVE TO DEMONSTRATE EXACTLY HOW WE CAN PARTICIPATE IN THE PROCESS.

AND HOW WILL THEY DO THIS?

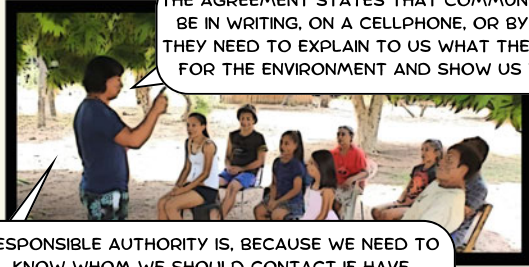


BY LEAVING PLENTY OF TIME FOR US TO GET ORGANIZED.

WILL WE NEED TO PAY FOR THIS ACCESS?



NO, THE WHOLE PROCESS IS FREE, AND THEY NEED TO TELL US EVERYTHING IN DETAIL!



THE AGREEMENT STATES THAT COMMUNICATION CAN BE IN WRITING, ON A CELLPHONE, OR BY SPEAKING. THEY NEED TO EXPLAIN TO US WHAT THE DECISION IS FOR THE ENVIRONMENT AND SHOW US WHO THE...

RESPONSIBLE AUTHORITY IS, BECAUSE WE NEED TO KNOW WHOM WE SHOULD CONTACT IF HAVE QUESTIONS ABOUT HOW TO PARTICIPATE AND WHAT THE DATES ARE FOR THE PUBLIC HEARINGS.



DO YOU REMEMBER WHAT A PUBLIC HEARING IS? IT IS AN OPEN MEETING, THAT ALLOWS EVERYONE'S PARTICIPATION, WHERE IT IS POSSIBLE TO SPEAK AND GIVE OUR OPINIONS ON THE SUBJECT. IT CAN BE DONE DIGITALLY, BY CELLPHONE, OR COMPUTER. WE WILL BE INFORMED OF THE DAY, TIME, ADDRESS, AND WHETHER THE MEETING WILL BE DIGITAL OR NOT!

AS FOR LANGUAGE, REST ASSURED THAT THE AGREEMENT STATES THAT THE COUNTRIES GUARANTEE THAT THE LANGUAGE WILL BE AS SIMPLE AS POSSIBLE, AND EVEN HAVE LOCAL OR INDIGENOUS LANGUAGES, IN CASE IT IS NEEDED.



DO YOU WANT TO KNOW SOMETHING INTERESTING? WE CAN PARTICIPATE IN DISCUSSIONS ON ENVIRONMENTAL ISSUES RIGHT HERE IN OUR VILLAGE, BUT WE ALSO HAVE THIS AT THE NATIONAL AND INTERNATIONAL LEVELS!



INTERNATIONAL PARTICIPATION CAN BE GRANTED THROUGH INTERNATIONAL ENVIRONMENTAL FORA.

WHAT ARE THEY?



THEY ARE THE INTERNATIONAL MEETINGS WHERE LEADERS AND REPRESENTATIVES FROM VARIOUS COUNTRIES MEET TO DISCUSS ENVIRONMENTAL ISSUES THAT ARE OF INTEREST TO EVERYONE THERE, I.E. THE WHOLE WORLD.



AFTER THIS, THE COMPETENT AUTHORITIES HAVE TO TALK DIRECTLY TO THE GROUP SO THAT PARTICIPATION IS EASIER AND HELPFUL.



THE COMPETENT AUTHORITIES HAVE TO BE ABLE TO IDENTIFY WHO WILL BE DIRECTLY AFFECTED BY THE ACTIVITY AND, IN OUR CASE, WHETHER SUCH AN ACTIVITY CAN HARM OUR PEOPLE.

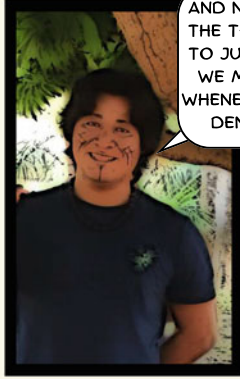
THE AGREEMENT STRENGTHENS INDIGENOUS KNOWLEDGE...



...BECAUSE OUR POINT OF VIEW IS ALWAYS MORE VALUED...



...AND WE ARE ABLE TO SHARE AND SHOWCASE OUR VISION.



AND NOW WE TALK ABOUT THE THIRD RIGHT: "ACCESS TO JUSTICE AND COURTS!" WE MUST GO TO COURT WHENEVER OUR RIGHTS ARE DENIED OR VIOLATED.

ARTICLE 8 ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS

JUSTICE WILL ALWAYS WORK...

...WHETHER OUR RIGHTS TO INFORMATION OR PARTICIPATION ARE DENIED...



...OR ANYONE TRIES TO DESTROY NATURE.



WHAT YOU ARE SAYING IS NICE, BUT IT SEEMS TO BE WORKING ONLY ON PAPER...

NOBODY LISTENS TO OUR VOICE...



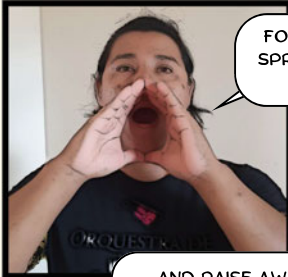


OF COURSE, THEY SHALL LISTEN TO IT! JUSTICE IS THERE TO ENSURE THAT; TO MAKE SURE THE LAW IS RESPECTED.

YOU BECAME A DOCTOR, RIGHT?



HOW ARE YOU GOING TO DO ALL THIS?



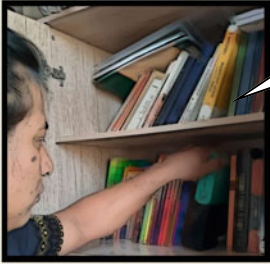
FOR THE TIME BEING, I AM FIGHTING TO SPREAD THE WORD ABOUT THE ESCAZÚ AGREEMENT...

AND RAISE AWARENESS OF ITS IMPORTANCE.

THIS IS THE ONLY WAY WE WILL BE ABLE TO PUSH THE BRAZILIAN GOVERNMENT TO SIGN THE AGREEMENT, ENFORCE IT, AND APPLY THESE PARTICIPATORY PRINCIPLES.



WHEN THIS HAPPENS, I WILL NOT HAVE TO BECOME A "DOCTOR" TO PROTECT THE ENVIRONMENT.



OKAY, SILVANO; I UNDERSTAND THAT WE CAN GO TO COURT IF THE AGREEMENT IS NOT RESPECTED.

BUT DO YOU REALLY THINK THAT OUR PROBLEMS WILL BE SOLVED?



ACCESS TO JUSTICE CAN SOLVE SOMETHING! JUSTICE IS THERE TO GUARANTEE THE REPARATION OF NATURE.



WHOEVER CAUSES DAMAGE TO THE PLANET MUST REPAIR IT...



AND IF THEY DON'T, THEY HAVE TO PAY A SUM OF MONEY TO COMPENSATE THE DAMAGE...



...AND A FINE FOR THE MISTAKE THEY MADE.

WHAT DO YOU MEAN, SILVANO? ONLY THOSE WHO UNDERSTAND THE LAW CAN GO TO COURT, AND WE DON'T EVEN HAVE A LAWYER.



THE AGREEMENT SEEKS TO REDUCE THESE BARRIERS!

WE SHALL RAISE AWARENESS ABOUT OUR RIGHTS AND THE DECISIONS CONCERNING US.

OBRIGADA!

TCHAPIÉ!

GRACIAS!

GRAZIE!



THANK YOU!

MERCI!

FOR THIS TO HAPPEN, THE STATES HAVE TO BE COMMITTED TO TRANSLATE EVERYTHING INTO LOCAL AND INDIGENOUS LANGUAGES, INCLUDING OURS, THE CHIQUITANO LANGUAGE.



THE BEST PART IS THAT WE WILL HAVE TECHNICAL AND LEGAL SUPPORT—FREE OF CHARGE—IN CASE WE NEED TO GO TO COURT TO PROTECT THE ENVIRONMENT.



OF COURSE, IDEALLY, WE SHOULD BE ABLE TO SOLVE EVERYTHING BEFOREHAND, WITHOUT HAVING TO GO TO COURT.

NO JUDGE SHOULD BE INVOLVED, UNLESS NECESSARY. IT IS UP TO US TO DECIDE WHAT IS BEST FOR OUR PEOPLE.

ARTICLE 9 HUMAN RIGHTS DEFENDERS IN ENVIRONMENTAL MATTERS

I DON'T KNOW... ALL I HEAR IS THE STORY OF PERSECUTION OF ENVIRONMENTAL DEFENDERS.



WHAT IF SOMEONE TRIES TO DO SOMETHING AGAINST US?



THIS IS WHY THE AGREEMENT PROTECTS HUMAN RIGHTS DEFENDERS IN ENVIRONMENTAL ISSUES!

IT ALSO STATES THAT EVERYONE FIGHTING FOR HUMAN RIGHTS IS PROTECTED AND NOT THREATENED, NOR ARE THEIR ACTIONS RESTRICTED.

SOMEBODY IS FINALLY CARING ABOUT US!



DID YOU KNOW THAT OF THE 10 COUNTRIES WITH THE HIGHEST NUMBER OF MURDERS OF ENVIRONMENTAL LEADERS IN 2019, SEVEN ARE FROM THE AMERICAS?

WE ARE ONLY 5% OF THE WORLD'S POPULATION, YET REPRESENT 40% OF THE VICTIMS!

THIS CANNOT GO ON LIKE THIS!



OF COURSE NOT!
THE AGREEMENT IS THE FIRST
INTERNATIONAL DOCUMENT THAT OFFERS
PROTECTION FOR ENVIRONMENTAL
DEFENDERS.

IT HAS BECOME LAW: STATES WILL HAVE TO
INVESTIGATE AND PUNISH ALL THOSE WHO TRY TO
POSE OBSTACLES IN THE FIGHT FOR
ENVIRONMENTAL PROTECTION.



NOT ONLY THAT, BUT THE STATES WILL ALSO HAVE
TO PROTECT OUR RIGHT TO LIFE, FREEDOM OF
SPEECH, PHYSICAL INTEGRITY, AND RIGHT TO
ASSEMBLY, AMONG OTHER RIGHTS.



OH SILVANO! YOU HAVE CONVINCED ME! I WILL
HELP YOU SPREAD THE WORD ABOUT THE ESCAZÚ
AGREEMENT!

PROJECT PARTICIPANTS



HI! I'M FLÁVIA FERNANDES. I'M A LAWYER, PROFESSOR, AND I HOLD AN LL.M IN LAW AT UNIRIO. I REALLY ENJOYED HELPING OUT IN THIS PROJECT!

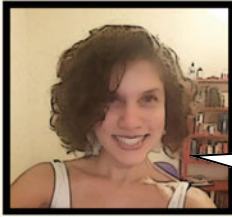
HI! MY NAME IS LUIZ FERNANDO GIESTA. I'M A LAWYER IN RIO DE JANEIRO. I HOLD A LL.M IN CORPORATE LAW FROM THE FUNDAÇÃO GETÚLIO VARGAS, AND A MASTER IN LAW - CSR, ECOLOGY AND ECONOMICS.



HELLO! I'M ALINE FRANCA. I'M A LAW PROFESSOR. I'M HAPPY TO BE PART OF THIS PROJECT!

HI! MY NAME IS MARCELA AGUIAR. GRADUATE IN ENVIRONMENTAL SCIENCE, I WORK AS AN ENVIRONMENTAL ANALYST FOR SUSTAINABILITY.





HI! I'M GISELLE CARDOSO. I'M A MASTER STUDENT IN LAW, RIGHT TO THE CITY AT THE UREJ AND A LEGAL ADVISOR AT THE INSTITUTO ESTADUAL DO AMBIENTE.

HI! MY NAME IS ADRIANA MOLINA. I'M A LAWYER AND I WORK WITH ENVIRONMENTAL ISSUES. I LOVED TAKING PART IN THIS PROJECT BECAUSE IT AIMS AT REACHING EQUALITY OF OPPORTUNITIES FOR ALL.



HI! MY NAME IS BEATRIZ STORINO. I HOLD A LL.M IN LAW. I STUDY ENVIRONMENTAL DAMAGES IN THE AMAZON, AND WORK IN THE JUDICIARY OF RIO DE JANEIRO. I HOPE THAT THIS COMIC HELPS YOU UNDERSTAND YOUR RIGHTS!

I'M MARIANA PAUZEIRO, MASTER STUDENT AT UNIRIO, AND MOTHER OF GABRIEL AND MIGUEL. I FIGHT FOR A BETTER WORLD FOR FUTURE GENERATIONS.





"ORCHINHA" (HELLO IN CHIQUITANO)!!! MY NAME IS LOYUÁ COSTA! I'M AN ILLUSTRATOR, I HOLD A LL.M IN CONSTITUTIONAL LAW (UFF), AND I'M A LAWYER FOR LAND RIGHTS DEFENDERS IN MATO GROSSO, IN COLLABORATION WITH THE CENTRO DE DIREITOS HUMANOS DOM MÁZIMO BIENNÉS.

HI! MY NAME IS IGOR KALL AND I'M A MASTER STUDENT IN LAW AT UNIRIO. I LIVE IN NITERÓI-RJ.



HELLO, MY NAME IS CAROLINE! I'M A LAWYER, GRADUATE IN LAW AT THE UNIVERSIDADE FEDERAL RURAL DO RIO DE JANEIRO, AND I HOLD A LL.M IN LAW AND PUBLIC POLICIES FROM THE UNIVERSIDADE FEDERAL DO ESTADO DO RIO DE JANEIRO.

THE PROTAGONISTS



ADRIANO BORO MAKUDA



ALANIS VALENTINA RODRIGUES URUPE



ANDERSON FERREIRA ROCHA



EDELENY CHUE MUQUISSAI



FLORENCIO URUPE MUQUISSAI



FRANCISCO XAVIEL DORADO FERREIRA



LEILIANE CHUE MUQUISSAI



MARIE CHUE MUQUISSAI



REIVALDO NEZOKEMAE



SAMYLA CHUE MANACA



ELZA MARGARIDA CHUE AKURUDODO
AROGIAREUDO



ELENA LAURA CHUE



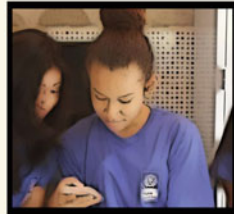
CLEMÊNCIA MUQUISSAI



HESTER PEREIRA DA SILVA



SAMILA CHUE MANAUS



ISABELLA FERNANDA RODRIGUES
DE OLIVEIRA

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

