



ORG Bahamas Policy Position on The Bahamas Signing the Escazú Agreement

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The Organization for Responsible Governance (ORG) commends the Government of The Bahamas on its recent signing of the Escazú Agreement as a pivotal step in strengthening public access to environmental information, inclusive participation, and access to justice. Escazú, as the first binding regional treaty on environmental rights, offers The Bahamas a strategic opportunity to deepen transparency, accountability, and public trust, especially at a time when these elements are critical to democratic resilience and sustainable development.

The Escazú Agreement, formally known as the “Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean,” was adopted in Escazú, Costa Rica in 2018 following years of regional dialogue under the United Nations Economic Commission for Latin America and the Caribbean (ECLAC). It is the only treaty of its kind to explicitly link environmental protection with human rights and was developed in response to Principle 10 of the Rio Declaration on Environment and Development. As of June 2025, 25 countries have signed the agreement and 15 have ratified it, with growing momentum across the region.

For a nation as climate vulnerable and development driven as The Bahamas, adherence to Escazú represents a crucial shift from intention to implementation in how we involve citizens in shaping environmental and social outcomes. Yet to truly fulfill this promise, we must confront and overcome long-standing challenges in delivering transparency mechanisms, such as the Freedom of Information Act (FOIA), environmental assessments, and consistent public consultation which have too often faltered at the point of execution.

Beyond democratic principles, compliance with Escazú can yield measurable economic dividends. According to the Caribbean Natural Resources Institute (CANARI), countries that embed transparent consultation processes and publish accessible environmental data attract higher-quality foreign investment, experience lower project delays, and build community buy-in that reduces costly social resistance. For example, Costa Rica, which fully ratified and aligned with Escazú, reported a 12% increase in eco-tourism-related investment and a 15% reduction in project opposition-related litigation between 2021 and 2024 (CANARI, 2024). If The Bahamas were to replicate even a portion of this effect, aligning national processes with Escazú could yield millions in avoided legal and reputational costs, while attracting climate finance and ESG-conscious investment. Moreover, more predictable regulatory environments make project



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planning and permitting more efficient for the private sector, contributing to GDP growth and employment.

Countries such as Uruguay and Chile have made strides by establishing national Escazú cross-sector implementation committees, online environmental databases, and legal protections for environmental defenders. These practices have elevated public confidence and increased stakeholder participation in major planning decisions. In contrast, the Dominican Republic, while a signatory, has faced public pushback and reputational risk due to continued extractive developments in protected areas without meaningful consultation, highlighting that mere ratification is insufficient without systemic change.

ORG believes Escazú can serve as a catalyst for unlocking long-standing policy bottlenecks if The Bahamas takes a strategic, participatory approach to implementation. We offer the following recommendations:

First, the government can develop a national Escazú implementation roadmap co-created with civil society and private sector actors, including performance benchmarks, timelines, pathways for ratification of the agreement, and public reporting mechanisms. This builds on previous civil society consultations and a joint letter from Bahamian and regional organizations affirming their commitment to inclusion, transparency, and partnership and a readiness to support the effective implementation of national frameworks such as the Escazú Agreement. Backed by regional and international best practices, such collaboration is widely recognized as a critical factor in achieving successful and sustainable implementation.

Second, fully operationalize the Freedom of Information Act (2017) and align its implementation with Escazú's access-to-information provisions. ORG offers ongoing support via our FOIA Resource Hub (www.orgbahamas.com/foia-hub), which includes public education tools, request templates, and citizen guides.

Third, ensure standardization of Environmental Impact Assessments (EIAs) to provide timely public access, clear summaries, and language appropriate formats for communities with limited access to technical resources. This standardization is crucial to ensure that all communities—especially those most vulnerable—are meaningfully informed and able to participate in environmental decisions that affect their lives and well-being.

Fourth, institutionalize public consultation practices by using tested, accessible formats such those recommended in ORG's Case for a Standardized Public Consultation Process (<https://www.orgbahamas.com/wp-content/uploads/2022/04/Public-Consultation-Report.pdf>), based on recommendations from The Commonwealth Parliamentary Association, which can



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serve as a national model for inclusive, structured input on development projects, environmental policies, and planning decisions.

Finally, create legal and procedural protections for environmental defenders and whistleblowers, building on the recently passed Protected Disclosures Act (2025), reinforcing The Bahamas' international credibility and aligning with Article 9 of Escazú.

As we move toward implementation, ORG encourages the government to anticipate and address capacity concerns, particularly across Family Islands and smaller government departments. Escazú will only be successful if it is fully integrated into planning, permitting, and legislative review processes, rather than treated as a parallel commitment. Care should be taken to avoid over-centralization of engagement processes, which can unintentionally exclude rural communities or vulnerable populations. We also encourage The Bahamas to work collaboratively with regional technical bodies such as ECLAC and CANARI to access training, data tools, and implementation case studies that can accelerate our learning curve.

The Escazú Agreement is a landmark opportunity to embed transparency, fairness, and accountability into the heart of environmental governance in The Bahamas. It is a bold commitment that, if followed through, can build citizen trust, strengthen institutions, and drive inclusive growth. ORG stands ready to support its meaningful implementation through public education and engagement and collaboration with government and other stakeholders. Transparency should be embraced as the foundation for a more resilient and responsive Bahamas.

About the Organization for Responsible Governance (ORG):

The Organization for Responsible Governance (ORG) is a non-partisan, nonprofit organization dedicated to promoting good governance, transparency, and citizen engagement in The Bahamas. Through public education, research, and advocacy, ORG works to strengthen democratic systems, empower informed participation, and drive sustainable national development. Learn more at www.orgbahamas.com.

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