



E C L A C

Distr.
LIMITED
LC/L.3618
12 April 2013
ENGLISH
ORIGINAL: SPANISH

Second meeting of the focal points appointed by the Governments of the signatory countries of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean

Guadalajara, Mexico, 16 and 17 April 2013

ANNOTATED PROVISIONAL AGENDA

- I. Background and organization of work
- II. Provisional agenda
- III. Annotations to the provisional agenda

I. BACKGROUND AND ORGANIZATION OF WORK

The Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development was signed in the framework of the United Nations Conference on Sustainable Development (Rio+20), held in Rio de Janeiro, Brazil, in June 2012.

That Declaration contained the following statement by the signatory Governments:

“Twenty years after the Earth Summit, we reiterate that, as recognized in Principle 10 of the Rio Declaration, environmental issues are best handled with the participation of all concerned citizens. To this end, each individual should have appropriate access to information, the opportunity to participate in decision-making processes and effective access to judicial and administrative proceedings. We thus affirm that to comply with this Principle, States should facilitate and promote education, awareness-raising and public participation by making information widely available and providing effective access to the proceedings outlined above.

We also recognize and affirm that the rights of access to information, participation and justice regarding environmental issues are essential for promoting sustainable development, democracy and a healthy environment. These rights provide many benefits, such as helping to make better decisions and implement them more effectively; involving the public in environmental issues; furthering accountability and transparency in governance; and helping to change production and consumption patterns.

We consider it important to emphasize that, in keeping with our commitment to Principle 10, the countries of Latin America and the Caribbean have invested substantial financial and human resources in its implementation. As a result, we have made considerable progress in the legal recognition of the rights of access to information, participation and justice regarding environmental issues through substantive dialogue with civil society and intergovernmental institutions. Despite our efforts and progress, however, we recognize the need for agreements to ensure the full exercise of rights of access. We are aware that the environmental challenges we face on a national, regional and global level require far more concerted, proactive and effective action from the international community and organizations. We are thus willing to explore in detail various ways to enhance the exercise of those rights with the active involvement of the key stakeholders and society as a whole.

Therefore, bearing in mind that the United Nations Conference on Sustainable Development calls for firm political will to enable us to face existing and emerging challenges, we declare that:

Commitments must be made to ensure the full exercise of rights of access to information, participation and justice regarding environmental issues as enshrined in Principle 10 of the Rio Declaration of 1992. To this end, we declare our willingness to launch a process to explore the feasibility of adopting a regional instrument, ranging from guidelines, workshops and best practices to a regional convention open to all countries in the region and with the meaningful participation of all concerned citizens. Latin America and the Caribbean can and must take a meaningful step forward on this front. The above-mentioned Governments therefore commit to drafting and implementing a Plan of Action 2012-2014, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC) as the technical secretariat, to work towards such a regional convention or other instrument. As input for that plan, our Governments hereby request ECLAC to conduct a study of the situation, best practices and requirements concerning access to information, participation and justice regarding environmental issues in Latin America and the Caribbean.”

In addition, in the outcome of the United Nations Conference on Sustainable Development, entitled *The future we want*, endorsed by the General Assembly on 11 September 2012,¹ among the many provisions referring to Principle 10 of the Rio Declaration on Environment and Development, the Heads of State and Government and high-level representatives acknowledged that democracy, good governance and the rule of law, at the national and international levels, as well as an enabling environment, were essential for sustainable development, including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger. They also underscored that broad public participation and access to information and judicial and administrative proceedings were essential to the promotion of sustainable development. Furthermore, they encouraged action at the regional, national, subnational and local levels to promote access to information, public participation and access to justice in environmental matters, as appropriate.

In follow-up to the acknowledgements contained in the outcome of the United Nations Conference on Sustainable Development *The future we want* and to resolution 648(XXXIII) on its programme of work for the biennium 2012-2013, and in its capacity as technical secretariat of the Declaration as requested by the signatory countries of the Declaration on the application of Principle 10 on Environment and Development, ECLAC has convened the second meeting of the focal points appointed by the Governments of the signatory countries of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development, to be held in Guadalajara, Mexico, on 16 and 17 April 2013.

The purpose of the meeting is to discuss and adopt a plan of action to 2014, on the basis of the draft proposed by the Presiding Officers, as agreed in the road map for the formulation of an instrument on Principle 10 in Latin America and the Caribbean adopted at the first meeting of the focal points.

The second meeting of the focal points appointed by the Governments of the signatory countries of the Declaration on the implementation of Principle 10 of the Rio Declaration on Environment and Development will be opened in the morning of Tuesday, 16 April 2013 at the Hotel Hilton Guadalajara, following the meeting of heads of delegation, at which the agenda for the meeting will be adopted. At the opening session, statements will be given in plenary by representatives of ECLAC, the Government of Mexico and the State of Jalisco, as the hosts of the meeting, the Presiding Officers and civil society. The rest of the day will be devoted to a review of the current situation regarding national-level implementation of Principle 10 of the Rio Declaration on Environment and Development (1992) and to the presentation of the draft plan of action to 2014 prepared by the Presiding Officers. The presentation will be followed by a discussion between representatives of signatory countries and observer countries, international experts and other participants attending the meeting, with a view to moving ahead with the draft plan of action to 2014.

In the morning of 17 April, the Presiding Officers will present the draft plan of action to 2014 in plenary session, with the expectation that it will be adopted by the signatory countries. The delegations will then consider the establishment of working groups as proposed in the plan of action: one on capacity-building and cooperation and another on access rights, consultation and the regional instrument. The morning's work will finish with the adoption of the plan of action and the close of the meeting.

¹ A/RES/66/288.

II. PROVISIONAL AGENDA

1. Adoption of the agenda.
2. Review of the current situation regarding national-level implementation of Principle 10 of the Rio Declaration on Environment and Development (1992).
3. New signatories to the Declaration.
4. Presentation of the draft plan of action to 2014 prepared by the Presiding Officers.
5. Open discussion.
6. Establishment of the working groups.
7. Adoption of the plan of action to 2014.

III. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Adoption of the agenda

Delegations will have before them for consideration and adoption the provisional agenda² prepared by the secretariat in accordance with chapter II of the rules of procedure of ECLAC and bearing in mind the various mandates of the Commission. The delegations of the signatory countries of the Declaration may formulate observations and suggest such modifications as they consider appropriate under the aforementioned rules of procedure.

2. Review of the current situation regarding national-level implementation of Principle 10 of the Rio Declaration on Environment and Development (1992)

Reference document:

- *Access to information, participation and justice in environmental matters in Latin America and the Caribbean: Situation, outlook and examples of good practice* (LC./L.3549/Rev.1)

ECLAC will present the document *Access to information, participation and justice in environmental matters in Latin America and the Caribbean: Situation, outlook and examples of good practice*. The floor will then be offered for comments and observations, first to the focal points of the signatory countries of the Declaration on the application of Principle 10, followed by the representatives of the countries of the region with observer status, as appropriate, civil society experts attending the meeting and, lastly, other participants.

² LC/L.3615.

3. New signatories to the Declaration

Under this agenda item, statements will be made by the new signatories to the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean.

4. Presentation of the draft plan of action to 2014 prepared by the Presiding Officers

The Chair of the Presiding Officers will open the session. A representative of the Presiding Officers will present the draft plan of action to 2014. The floor will then be offered for comments and observations, first to the focal points of the signatory countries of the Declaration on the application of Principle 10, followed by the representatives of the countries of the region with observer status, as appropriate, civil society experts attending the meeting and, lastly, other participants. In addition, a consolidated set of proposals by civil society organizations will be distributed, entitled “Rules of procedure for public participation at the regional level and actions at the national level for the formulation of a Latin American and Caribbean instrument on Principle 10”.

Working document:

- Note by the secretariat that includes the draft plan of action to 2014 for the implementation of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean and its road map (LC/L.3620).

5. Open discussion

Reference document:

- Note by the secretariat that includes the draft plan of action to 2014 for the implementation of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean and its road map (LC/L.3620).

Under this agenda item, the delegations will have the opportunity to discuss the draft plan of action to 2014 prepared by the Presiding Officers with a view to advancing towards full implementation in the region of Principle 10 of the Rio Declaration on Environment and Development.

6. Establishment of working groups

The Chair of the Presiding Officers will open the session. A representative of the Aarhus Convention will give a statement (by videolink) on the experience of the Convention in relation to its working groups. An expert on environmental law will then give a presentation on the different instruments towards which the region could progress. The floor will then be opened for comments and observations, first to the focal points of the signatory countries of the Declaration on the application of Principle 10, followed by the representatives of the countries of the region with observer status, as appropriate, civil society experts attending the meeting and, lastly, other participants.

7. Adoption of the plan of action to 2014

If the Latin American and Caribbean signatory countries attending the meeting so decide, they will adopt the plan of action to 2014 for progressing towards the formulation of an instrument on Principle 10 in Latin America and the Caribbean.