



PARTICIPANTS ONLY

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Ninth meeting of the negotiating committee
of the regional agreement on access to information,
participation and justice in environmental matters
in Latin America and the Caribbean

San José, 28 February-4 March 2018

PREAMBLE*

PROPOSAL OF ARGENTINA, CHILE, COSTA RICA, PERU, SAINT VINCENT AND THE GRENADINES AND TRINIDAD AND TOBAGO

* This document has not undergone formal editing.

PREAMBLE

The Parties to the present Agreement,

1. *Reaffirming* Principle 10 of the 1992 Rio Declaration on Environment and Development (hereinafter, “Rio Declaration”), which establishes, “Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national 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. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided”, **[Agreed]**
2. *Recalling* the adoption, at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, of the Declaration on the application of Principle 10 of the Rio Declaration, reaffirming the commitment to the rights of access to information, participation and justice regarding environmental matters, recognizing the need to make commitments to ensure the full exercise of those rights and declaring a willingness to launch a process to explore the feasibility of adopting a regional instrument, **[Agreed]**
3. *Emphasizing* that access rights are interrelated and interdependent, and so each and every one of them should be promoted and implemented in an integrated and balanced manner, **[Agreed]**
4. *Convinced* that access rights contribute to the strengthening of democracy, the protection of the environment and of human rights,
5. *Reaffirming* the importance of the Universal Declaration of Human Rights and other international human rights instruments, we underscore that all States have the responsibility to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,
6. *Reaffirming* all the principles of the 1972 Stockholm Declaration on the Human Environment and of the 1992 Rio Declaration on Environment and Development,
7. *Recalling* the Declaration of the United Nations Conference on the Human Environment, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, the Johannesburg Declaration on Sustainable Development, the Plan of Implementation of the World Summit on Sustainable Development and the Small Island Developing States Accelerated Modalities of Action (Samoa Pathway), **[Agreed]**
8. *Recalling also* that, in the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro (Brazil) in June 2012, entitled “The future we want”, among the many provisions referring to Principle 10 of the Rio Declaration, 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

eradication of poverty and hunger; underscored that broad public participation and access to information and judicial and administrative proceedings were essential to the promotion of sustainable development; and encouraged action at the regional, national, subnational and local levels to promote access to information, public participation in decision-making and access to justice in environmental matters, as appropriate, **[Agreed]**

9. *Considering* General Assembly resolution 70/1 of 25 September 2015, which adopted the 2030 Agenda for Sustainable Development, its goals and targets in a integrated and indivisible manner and that balance the three dimensions of sustainable development: economic, social and environmental,

10. *Recognizing* the multiculturalism of the Latin America and the Caribbean region and of its peoples, **[Agreed]**

11. *Bearing in mind* the important contribution and fundamental role of the public in the effective exercising of access rights,

12. *Recognizing* the important work of the persons and groups in defense of human rights in environmental matters is indispensable for the strengthening of democracy and the attainment of sustainable development,

13. *Aware* of the progress made in the implementation of international agreements and declarations and in the application of national legislation and practice on access rights,

14. *Convinced* of the necessity to promote and strengthen dialogue, cooperation, technical assistance, education and awareness-raising as well as capacity-building for the full exercise of access rights at the local, national, subnational, regional and international levels,

15. *Resolved* to achieve the full implementation of the access rights to information, participation and justice in environmental matters,

Have agreed as follows: