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**REPORT OF THE THIRD 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**

Montevideo, 5-8 April 2016

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## A. ATTENDANCE AND ORGANIZATION OF WORK

### Place and date of the meeting

1. The third 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 was held in Montevideo from 5 to 8 April 2016.
2. The meeting was organized jointly by the Government of the Eastern Republic of Uruguay and the Economic Commission for Latin America and the Caribbean (ECLAC), in its capacity as technical secretariat of the regional process relating to the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development.<sup>1</sup>

### Attendance<sup>2</sup>

3. The meeting was attended by representatives of 20 of the 21 signatory countries of the Declaration: Antigua and Barbuda, Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada,<sup>3</sup> Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Trinidad and Tobago, and Uruguay.
4. Saint Lucia attended as an observer.
5. Also attending were international experts in access to information, participation and justice in environmental matters, elected representatives of the public and members of the public, in accordance with the Santiago Decision and the *Organization and work plan of the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean*.
6. Representatives of the Economic Commission for Europe (ECE), the United Nations Environment Programme (UNEP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Organisation of Eastern Caribbean States (OECS) and the Inter-American Development Bank (IDB) were also in attendance.
7. The meeting was open-ended and webcast live.

### Chair

8. Uruguay chaired the meeting in its capacity as host country.

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<sup>1</sup> See A/CONF.216.13.

<sup>2</sup> See the list of participants in annex 2.

<sup>3</sup> Grenada adhered to the Declaration at the meeting.

## **B. ADOPTION OF THE AGENDA**

9. The following agenda was adopted:
  1. Adoption of the agenda.
  2. Actions taken at the national level by the signatory countries of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development and activities carried out by the secretariat.
  3. Review and adoption of the modalities for participation of the public in the negotiating committee.
  4. Negotiation of the regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean.
  5. Other matters.

## **C. SUMMARY OF PROCEEDINGS**

### **Opening session**

10. At the opening session statements were made by Martín Vidal, General Director of Political Affairs of the Ministry of Foreign Affairs of Uruguay, Alicia Bárcena, Executive Secretary of the Economic Commission for Latin America and the Caribbean (ECLAC), Patricia Madrigal, Vice-Minister of the Environment of Costa Rica, in her capacity as Co-Chair and representative of the Presiding Officers of the negotiating committee, Danielle Andrade and Alberto Gómez, representatives of the public, and Alejandro Nario, National Director of the Environment of the Ministry of Housing, Territorial Planning and Environment of Uruguay.

11. After welcoming the participants, the General Director of Political Affairs of the Ministry of Foreign Affairs of Uruguay said that his country had been committed to the negotiation process since the outset. He emphasized that it was not possible to establish and implement policies without the proactive, constructive and coordinated participation of civil society at all stages of the decision-making process. Beyond the expectations of the negotiations per se, the process had symbolic value because it enshrined the ideals of democracy, rule of law and human rights. Uruguay was convinced that the process had reached maturity and that it would thus be feasible to conclude the negotiations in 2016. Lastly, he urged the participants to take this opportunity to move forward in the negotiations towards the agreement.

12. The Executive Secretary of ECLAC drew attention to the importance of the adoption of the 2030 Agenda for Sustainable Development, which raised possibilities of establishing a new paradigm for development with equality at the centre. It would be necessary to change the development pattern that had prevailed until now, but neither the market, society or State could provide the right answers individually. She also emphasized the importance of the regional process under way, insofar as it was an innovative process that required new commitments and partnerships to improve the living standards and well-being

of the citizens of Latin America and the Caribbean. She also emphasized the support conferred by 15 independent experts of the Human Rights Council to the efforts of the Latin American and Caribbean countries to reach a regional agreement on access rights. She believed that Principle 10 enshrined foundational democratic principles and crystallized the array of individual and community rights and obligations surrounding the premise of participation, equality and inclusion. Lastly, she urged the countries not to lower their sights, and to forge social compacts with a view to the future in order to move towards establishing a rights-based agenda.

13. The Vice-Minister of the Environment of Costa Rica, in her capacity as Co-Chair of the Presiding Officers of the negotiating committee, reviewed the achievements made thus far in the negotiations, which had coincided with the adoption of the 2030 Agenda for Sustainable Development. She said that access rights formed the heart of democracy and governance, and promoted the rule of law. Latin America and the Caribbean was a diverse yet homogenous region that had decided to implement access rights from the perspective of its own diversity and characteristics. The instrument being negotiated would broaden respect for human rights in the region and, through participation and inclusion, would provide the forums and tools to prevent socioenvironmental conflicts. Lastly, she expressed the hope that the negotiation process would be constructive and progressive and would exceed general expectations.

14. The representatives of the public noted that both the 2030 Agenda for Sustainable Development and the Paris Agreement depended on building more robust information systems and improving public participation, and that the right to information, participation and justice was specifically included in the Sustainable Development Goals. In expressing the hope that the trust built up between governments and civil society since the start of the Principle 10 process in the region would underpin progress towards the establishment of regional standards on access rights that would live up to expectations, they urged aiming for the essential, not the minimum. They considered that the challenges of national implementation should not be allowed to dilute the ambitiousness or the objectives of the future agreement, but should be channelled through capacity-building and cooperation. They also commended the serious and committed work carried out by civil society in the process, as well as its willingness to work with governments, and expressed thanks for the support of ECLAC, which had contributed to achieving results. At the same time, the process could pave the way towards achieving a regional standard on access rights that would help to mitigate social conflicts, by channelling the population's concerns on environmental matters through frameworks that promoted good governance. It was imperative to use the opportunity presented by the process to ensure that environmental defenders could play their role freely and to promote the rights of individuals in the region, recalling the murder in March 2016 of Berta Cáceres, President of the Civic Council of People's and Indigenous Organizations of Honduras and tireless defender of the environment.

15. At the request of the representatives of the public, a minute's silence was held in remembrance of the life and work of Berta Cáceres and her contribution to the world.

16. Lastly, the National Director of the Environment of the Ministry of Housing, Territorial Planning and Environment of Uruguay emphasized the priority that his country afforded to Principle 10 issues. He listed the various measures taken by the Ministry to ensure public participation, and affirmed that access to information was the rule and confidentiality the exception. Development was not possible unless it was sustainable, and this could only occur with public participation. Unity would provide strength in the region, and would form the basis for concrete action.

New signatory to the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development

17. The representative of Grenada announced her country's adhesion to the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development, which was welcomed by those present. She also reiterated the firm commitment of the Government of Grenada to rights of access to information, participation and justice in environmental matters and emphasized that these were fundamental for sustainable development, democracy and the promotion of a healthy environment.

Actions taken at the national level by the signatory countries of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development and activities carried out by the secretariat (agenda item 2)

18. The signatory countries of the Declaration on the application of Principle 10 of the Rio Declaration spoke on the actions taken at the national level in the framework of the regional process, consisting of consultations, meetings and workshops with various governmental and non-governmental stakeholders, as well as dissemination and awareness-raising activities. Statements were made by the following delegations:<sup>4</sup> Paraguay, Argentina, Uruguay, Jamaica, Costa Rica, Panama, Colombia, Brazil, Ecuador, Honduras, Antigua and Barbuda, Chile, Saint Lucia, Peru and El Salvador.

19. The representative of Paraguay reported on the recent adoption of a free access to public information and government transparency law, along with its related regulation, and on the holding of consultations with civil society organizations.

20. The representative of Argentina emphasized the creation of the new Ministry of the Environment and Sustainable Development and the legal framework for access rights in her country, as well as the coordinated work that had been carried out on matters of access to justice with the judiciary and the Ministry of Justice.

21. The representative of Uruguay underlined the system of social dialogue, a forum for dialogue and participation implemented at the highest level and revolving around three major themes: development and international integration, social protection, and cross-cutting policies relating to the environment and climate change.

22. The representative of Jamaica welcomed the adhesion of Grenada to the process and reported on the creation of the Ministry of Economic Growth and Job Creation. The national working group on Principle 10 had met twice since October 2105 and had submitted proposed recommendations to the secretariat on future steps in the process. She trusted that faster progress would be made at this meeting and expressed her Government's firm commitment to the completion of negotiations by December 2016.

23. The representative of Costa Rica said that her country had been actively promoting the negotiation process through its National Strategy for Open Government 2015-2018—in whose framework the National Commission for Open Government (CNGA) had been set up—and the national development plan. On the international front, Costa Rica, together with Chile, had also been promoting declarations and resolutions in a range of forums, such as the Forum of Latin American and Caribbean Environment Ministers and the Human Rights Council.

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<sup>4</sup> Listed in speaking order.

24. The representative of Panama reported on a number of actions taken at the national level in fulfilment of Principle 10, such as the work of a mechanism for talks with the forestry sector, consultations on the Strategic Government Plan 2015-2019, the National Water Security Plan 2015-2050 and intended nationally determined contributions on climate change. The representative referred to the priority afforded to environmental consultative commissions at the provincial, shire and district levels, and the water basins committees.

25. The representative of Colombia said that his country's policy was prioritizing an environmental education approach to put citizens in closer touch with the environment around them. He drew attention to the Open Government Coordination Bureau, which had been established under the auspices of the Ministry of Environment and Sustainable Development to formulate a strategy for implementing Principle 10 in Colombia. That strategy would link up the characterization of participation with transparency, training in environmental justice and dissemination.

26. The representative of Brazil recalled the normative progress made in his country on access rights, especially legislation on access to information and the National Policy on Social Participation. He also referred to the participatory manner in which Brazil's stance had been formed on the negotiations on the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change. With specific reference to Principle 10, he mentioned the incorporation of new actors in the consultations and meetings with other government bodies and with civil society, and especially the degree of understanding and agreement between the parties in this process.

27. The representative of Ecuador emphasized her country's commitment to the environment and to citizen participation, as well as its constitutional recognition of the rights of Mother Earth. She also referred to the progress on public participation represented by the Citizen Participation Act, the Citizen Participation and Social Oversight Council and the establishment of national dialogue mechanisms, such as the one currently under way on the signature of the Paris Agreement on climate change.

28. The representative of Honduras maintained that Principle 10 was the right way to build more democratic and fairer societies. He reported on the organization, together with the public, of a workshop on access rights and underscored his government's excellent collaboration with civil society. He also said that meetings had been held with the Office of the President, the Secretariat of Foreign Affairs and the Office of the Attorney General of the Republic, and that a bill was being prepared on the free, prior and informed consent of indigenous peoples and work had begun on the regulation of the Water Basins Council. In addition, Honduras had brought Principle 10 onto the agenda of the Central American Integration System (SICA), in its capacity as Pro Tempore Chair of that body.

29. The representative of Antigua and Barbuda expressed the hope that the negotiations would be progressive and fruitful bearing in mind the looming deadline, and summarized the efforts made to promote Principle 10 in her country. In this regard, she referred to the dissemination of the process through various means, meetings with civil society (especially the National Association of Non-Governmental Organizations) and with other government bodies, as well as public consultations on solar energy.

30. The representative of Chile affirmed that measures taken in the countries strengthened the formation of national positions and supported the implementation of access rights. She reported on consultations, meetings and workshops held with the public in general and the public sector, especially before and after each negotiation round. She recalled that environmental governance was one of the lines of work of Chile's action plan Open Government 2014-2016 and one of the pillars of its bilateral relations with Argentina, Colombia and Ecuador. She also referred to Chile's second environmental performance

review, conducted by the Organization of Economic Cooperation and Development (OECD), to the decision on Principle 10 adopted at the twentieth meeting of the Forum of Ministers of the Environment of Latin America and the Caribbean and to steps taken within the Human Rights Council.

31. The representative of Saint Lucia reaffirmed her country's commitment to access rights and said that there was tremendous support for the regional process. She reported that, following national consultations, the Cabinet of Ministers had been asked to endorse Saint Lucia's signature of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean, and that this request was due to be considered very shortly.

32. The representative of Peru reported that Lima had hosted the Global Conference of the Extractive Industries Transparency Initiative (EITI) in February 2016. Peru had concluded the processes relating to the adoption of its National Human Rights Plan, national strategies on biodiversity and wetlands, and the regulation of the forestry sector, all with broad and significant public participation. In addition, meetings and workshops had been held with the judicial branch and Peru had recently undergone its first OECD environmental performance review, the outcome of which recommended strengthening the framework of environmental governance in the country.

33. The representative of El Salvador expressed the conviction that public participation was fundamental for achieving sustainability. El Salvador had established a National Environmental Sustainability and Vulnerability Council and continued to move forward with consultations on the compiled text, with the expectation that face-to-face workshops on the instrument would be held shortly. She also emphasized the consultations held on the modernization of the environmental evaluation and planning system and on the General Water Act.

34. The representative of ECLAC gave an account of the technical secretariat's activities since the second 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, held in Panama City in October 2015. As well as the work of the secretariat, ECLAC had focused on capacity-building, raising awareness of the regional process and increasing the number of signatory countries. Lastly, the representative referred to the progress with regard to the regional public mechanism.

35. Next, an alternate representative of the public referred to the measures taken by civil society in the region in the framework of the process, including meetings and webinars, dissemination in the media and the preparation of guides and technical material. The activities reported had been carried out in the Dominican Republic, Honduras and Peru.

36. The representative of the Inter-American Development Bank (IDB) said that the institution considered access to information and participation to be extremely important, and applied these principles in the development projects under way in the countries. He restated the Bank's support for the current process.

37. The representative of the United Nations Environment Programme (UNEP) drew attention to the Cartagena Declaration adopted at the twentieth meeting of the Forum of Ministers of Environment for Latin America and the Caribbean and welcomed the holding of the third meeting of the negotiating committee, all of which underlined the importance of Principle 10 of the Rio Declaration in the region.

Review and adoption of the modalities for participation of the public in the negotiating committee (agenda item 3)

38. The representative of Chile, Co-Chair of the Presiding Officers of the negotiating committee, reviewed the background that had led to the proposal on modalities for participation of the public in the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean, prepared by the Co-Chair at the request of the Presiding Officers.<sup>5</sup>

39. She recalled that an informal group formed at the second meeting of the negotiating committee had held a breakout session on that occasion, at which a list of concerns was drawn up. She explained that the delegations of Chile, Costa Rica and Uruguay had prepared a new proposal of modalities taking into account these concerns, which was now submitted to the countries for their consideration.

40. The delegations of Argentina, Colombia and Mexico expressed concern over some points of the new proposal, such as the definition of “public”, the possibility of taking decisions in closed meetings and the need to limit participation to the public of the region.

41. The representative of Chile then proposed that the secretariat compile the observations of all the countries in a consolidated document, which would be distributed for adoption at the end of the session. This was seconded by other delegations.

Negotiation of the regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean (agenda item 4)

42. Under this agenda item, the delegations considered the document *Text compiled by the Presiding Officers incorporating the language proposals received from the countries on the preamble and articles 1 to 10 of the preliminary document on the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean. Second version.*<sup>6</sup> As had been agreed, the negotiation centred on articles 2 to 10 of the second version of the text compiled by the Presiding Officers.

43. The delegations began the discussion with the points of article 2 that had been left pending at the second meeting of the negotiating committee, then considered articles 3 to 5 and numerals 1 and 2 of article 6. They agreed to delete article 4, on the understanding that the scope of application of the agreement could be specified elsewhere in the text.

44. It was agreed to reflect the authorship of each country in each new or alternative proposal and, where applicable, the support of other delegations, on the understanding that those countries not mentioned were in agreement with the text originally proposed in the preliminary document prepared by ECLAC at the request of the countries. The secretariat reported that the third version of the compiled text resulting from the third meeting would be made available on the website of the process.<sup>7</sup>

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<sup>5</sup> LC/L.4058/Rev.1.

<sup>6</sup> LC/L.4059/Rev.1.

<sup>7</sup> See [online] <http://negociacionp10.cepal.org>.

45. With a view to contributing to the discussions, the following technical briefing sessions were held in the framework of the meeting: “A rights-based approach to sustainable development” and “Presentation of the Implementation Guide for the UNEP Bali Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters”. At the first of these, the central elements for a rights-based approach in relation to sustainable development were presented, and a discussion was held on the international and regional human rights standards applicable to access rights. In preparation for this, the document “International human rights standards applicable to access to information, public participation and access to justice. Executive Summary. Preliminary version”<sup>8</sup> prepared by ECLAC and the Office of the United Nations High Commissioner for Human Rights (UNHCHR), was made available to the participants. The purpose of the second technical briefing session was to present the recently launched Implementation Guide for the UNEP Bali Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters.<sup>9</sup>

#### Other matters (agenda item 5)

46. After incorporation and discussion of the modifications proposed by the countries, the delegations adopted the *Modalities for participation of the public in the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean*.

47. Next, the delegations considered the agreements of the third meeting of the negotiating committee.

48. Following the comments and appreciations expressed, the delegations adopted the agreements figuring in annex 1, by consensus.

49. The delegations accepted with thanks the kind offer of the Government of the Dominican Republic to host the fourth meeting of the negotiating committee in that country in the second week of August 2016. It was also decided to hold the fifth meeting of the Committee at a place and date to be agreed.

50. On behalf of the Presiding Officers, Chile proposed that the Co-Chairs should coordinate the preparation of a clean version of the compiled text, encompassing all the progress made in the negotiations thus far, in order to facilitate fulfilment of the countries’ commitment to revisit the outstanding matters from the preamble to article 10. He added that this would be merely a technical revision and would remain a document with no legal standing whatsoever. The representative of Colombia expressed thanks for this proposal and suggested that it be considered by the negotiating committee at its fourth meeting. Jamaica supported the idea of having a clean document prepared in the intersessional period, on the understanding that it would not be a negotiating text, but would provide clarity on the progress made up to this point. The representative of Mexico, speaking on his country’s behalf and assuming his shared responsibility in pushing the process forward as Co-Chair of the Presiding Officers, said that he understood the reasons put forward by Colombia for considering this proposal at the fourth meeting of the negotiating committee.

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<sup>8</sup> DDR/2. See [online] <http://negociacionp10.cepal.org/3/sites/default/files/c1600290.pdf>.

<sup>9</sup> See [online] <http://www.unep.org/civil-society/Implementation/Principle10>.

Remarks by Eneida de León, Minister of Housing, Territorial Planning and Environment of Uruguay

51. The Minister of Housing, Territorial Planning and Environment of Uruguay emphasized the importance of the matters discussed at the meeting, which were priorities for the governments of the region. She thanked civil society and the various delegations for the work carried out and expressed support for the negotiation process under way.

**Closing session**

52. During the closing session, statements were made by the Director of Environment of the Ministry of Foreign Affairs of Uruguay, in his capacity as Chair of the meeting, and by the Chief of the Sustainable Development and Human Settlements Division of ECLAC.

53. The Director of Environment of the Ministry of Foreign Affairs of Uruguay, in his capacity as Chair of the third 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, emphasized that transparency was fundamental in action to protect natural resources and urged the countries to continue working to accomplish the aim of having a regional agreement by the end of 2016.

54. The Chief of the Sustainable Development and Human Settlements Division of ECLAC thanked the Government of Uruguay for its efforts and excellent conduct of the meeting, and the delegations for their active participation. He said that this process would help to redefine the relationship between State, market and society, and expressed confidence that real change could be brought about in the region. He concluded by reaffirming the commitment of ECLAC to continue supporting the process.

55. Lastly, Zakiya Uzoma-Wadada, representative of the public, took the floor. She thanked the countries of Latin America and the Caribbean for their commitment to negotiating the agreement and acknowledged the work carried out by the Government of the Eastern Republic of Uruguay and ECLAC to organize the meeting. She expressed the attending public's recognition of the enthusiastic and committed support from the public of other regions, adding that the world was watching this process with interest. Although the public had been disappointed that the governments had appeared unwilling to consider the public's proposals on the modalities of participation before their adoption, they were pleased by the progress made in the negotiation of the agreement, and requested that, as the negotiation moved forward, the public's contributions be taken into account before the text of a paragraph was declared closed. In relation to the content of the agreement, notwithstanding the undoubted differences between the countries in terms of capacities, legislation and particular practices, it was a matter of concern that limiting the application of the agreement to national conditions and practices would lead to a very weak outcome that would not be effective at improving implementation of access rights. In this regard, the public recommended that concerns on general capacities or implementation challenges should be addressed in article 10, on capacity-building and cooperation.



## Annex 1

**AGREEMENTS**

The representatives of the countries participating in the third 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, held in Montevideo from 5 to 8 April 2016:

1. *Acknowledge* the significant progress made in the negotiations on articles 2 to 6 of the text compiled by the Presiding Officers, which shall be presented in a third version of the document;

2. *Agree* to resume the negotiations on articles 6 to 10 at the fourth meeting of the negotiating committee, using the third version of the compiled text, and review outstanding issues from the preamble to article 10;

3. *Adopt* the *Modalities for participation of the public in the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean*, attached as an annex hereto;

4. *Welcome* Grenada as a signatory country of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development<sup>1</sup> and recall that the invitation to join this regional process is open to all the countries of Latin America and the Caribbean;

5. *Thank* the Government of the Dominican Republic for the invitation to hold the fourth 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 in that country, in the second week of August 2016;

6. *Agree* to convene the fifth 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 at a date and place to be decided;

7. *Thank* the people and the Government of the Eastern Republic of Uruguay for their hospitality and the effort devoted to the organization of the third 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.

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<sup>1</sup> A/CONF.216/13.

## Annex

**MODALITIES FOR PARTICIPATION OF THE PUBLIC IN THE NEGOTIATING  
COMMITTEE OF THE REGIONAL AGREEMENT ON ACCESS TO INFORMATION,  
PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS  
IN LATIN AMERICA AND THE CARIBBEAN**

1. The negotiation of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean is an intergovernmental process that will involve, as agreed in the *Organization and work plan of the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean*,<sup>1</sup> significant participation by the public in accordance with the provisions and modalities set forth in the Santiago Decision and the 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,<sup>2</sup> adopted in Guadalajara, Mexico, in 2013, which are reviewed below in order to facilitate their application.

2. The promotion of broad and diverse participation by the public is grounded in the ultimate objective of this regional process. The implementation of these modalities for public participation applies exclusively to this negotiation and does not set a precedent for other regional and/or international processes or negotiations.

3. The negotiation process of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean will provide for the participation of the interested public in order to contribute to the fulfilment of the mandate of the negotiating committee. With a view to strengthening the inclusiveness and legitimacy of the process, these modalities are intended to:

- Ensure the provision of information on the negotiation of the regional agreement.
- Establish both specific and broad levels and opportunities for participation.

4. These modalities provide for three levels of participation: attendance, reporting and making statements, in accordance with the provisions of the Santiago Decision and the *Organization and work plan of the negotiating committee of the regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean*. Accordingly, the public of the region may submit language proposals in writing during negotiations, which will be compiled in a separate document. These proposals will be incorporated into the negotiation document if sponsored by at least one country participating in the negotiating committee.

5. The public from other regions may participate in face-to-face and virtual meetings, unless any signatory country objects. This will be treated on a case-by-case basis. The Presiding Officers of the negotiating committee, through the chair, may request justification for the objection.

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<sup>1</sup> LC/L.4011/Rev.1.

<sup>2</sup> LC/L.3970.

6. The two representatives of the public designated pursuant to the Santiago Decision to maintain a continuous dialogue with the Presiding Officers will be invited to a preparatory meeting with the Presiding Officers prior to the meeting of the negotiating committee in order to discuss, in particular, the agenda for that meeting.

7. In accordance with the *Organization and work plan of the negotiating committee*, the Presiding Officers will be responsible for ensuring compliance with the modalities for public participation at meetings and ECLAC will be responsible for supporting public participation in the negotiation process.

8. The countries participating in the negotiating committee may hold closed sessions during meetings. However, decisions may be taken only in plenary session.

9. All official documents for meetings will be made available to the public in a timely manner; the regional public mechanism will also give notice by e-mail that these documents are available.

10. ECLAC will continue to administer the regional public mechanism and will report regularly on its composition. The Commission will also circulate, in a timely manner, the list of participants registered in all face-to-face and virtual meetings organized.<sup>3</sup>

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<sup>3</sup> See paragraph 53 of the 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.3677): “A regional public mechanism will be established, to which interested parties may subscribe by completing a short form available on the ECLAC website.” Available at: <http://www.cepal.org/en/regional-public-mechanism>.

Annex 2

**LIST OF PARTICIPANTS**

**A. Países signatarios de la Declaración  
Signatory countries of the Declaration**

**ANTIGUA Y BARBUDA/ANTIGUA AND BARBUDA**

Representante/Representative:

- Maureen Hyman, Junior Minister, Ministry of Justice and Legal Affairs, email: paynep@hotmail.com

Miembros de la delegación/Delegation members:

- Ruth Spencer, National Coordinator, Global Environment Facility Small Grants Programme, email: rvspencer@hotmail.com

**ARGENTINA**

Representante/Representative:

- María Fabiana Loguzzo, Directora General de Asuntos Ambientales, Ministerio de Relaciones Exteriores, Comercio Internacional y Culto, email: laf@mrecic.gov.ar

Miembros de la delegación/Delegation members:

- Dolores María Duverges, Subsecretaria de Planificación y Ordenamiento Ambiental del Territorio, Secretaría de Política Ambiental, Cambio Climático, y Desarrollo Sustentable, Ministerio de Ambiente y Desarrollo Sustentable, email: dduverges@ambiente.gob.ar

**BOLIVIA (ESTADO PLURINACIONAL DE)/BOLIVIA (PLURINATIONAL STATE OF)**

Representante/Representative:

- Justina Robles, Asesora de Despacho, Ministerio de Ambiente y Agua, email: justinarobles@gmail.com

**BRASIL/BRAZIL**

Representante/Representative:

- Mário Gustavo Mottin, Coordinador General, Coordinación General de Desarrollo Sostenible, Ministerio de Relaciones Exteriores, email: mario.mottin@itamaraty.gov.br

**CHILE**

Representantes/Representatives:

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Miembros de la delegación/Delegation members:

- Julio Cordano, Jefe, Departamento de Cambio Climático y Desarrollo Sostenible, Ministerio de Relaciones Exteriores, email: jcordano@minrel.gov.cl
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**COLOMBIA**

Representante/Representative:

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## **JAMAICA**

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## **MÉXICO/MEXICO**

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**B. Países miembros de la Comisión que participan en calidad de observadores  
States members of the Commission participating as observers**

**SANTA LUCÍA/SAINT LUCIA**

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**C. Secretaría de las Naciones Unidas  
United Nations Secretariat**

**Comisión Económica para Europa (CEPE)/United Nations Economic Commission for Europe**

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**D. Organismos de las Naciones Unidas  
United Nations bodies**

**Programa de las Naciones Unidas para el Medio Ambiente (PNUMA)/United Nations Environment Programme (UNEP)**

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**E. Organizaciones intergubernamentales  
Intergovernmental organizations**

**Organización de Estados del Caribe Oriental (OECO)/Organisation of Eastern Caribbean States (OECS)**

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**Banco Interamericano de Desarrollo (BID)/Inter-American Development Bank (IDB)**

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**F. Invitados especiales**  
**Special guests**

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**G. Otros participantes**  
**Other participants**

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#### **H. Secretaría Secretariat**

#### **Comisión Económica para América Latina y el Caribe (CEPAL)/Economic Commission for Latin America and the Caribbean (ECLAC)**

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