



ECLAC

PARTICIPANTS ONLY
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Seventh 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

Buenos Aires, 31 July-4 August 2017

ARTICLE 5
GENERAL OBLIGATIONS*

Proposal of Argentina, Chile and Costa Rica

* This document has not undergone formal editing.

ARTICLE 5

General provisions

1. (ex 2) Each Party shall adopt the necessary legislative, regulatory or other measures, among others, in the framework of its domestic provisions, to guarantee the full implementation of the provisions of the present Agreement.
2. (ex 4) Each Party shall promote environmental awareness and education in the public sector and among the public to provide people with knowledge and information on access rights in environmental matters, with the aim of contributing to their effective application.
3. (ex 3) Each Party shall endeavour to ensure that its officials and authorities provide assistance to the public —particularly to those groups and persons in vulnerable situations— so as to facilitate their access to information, participation in decision-making and access to justice in environmental matters.
4. (ex 5) Each Party shall take measures to recognize, protect and provide institutional support to those groups or individuals that protect the environment in the public interest with the aim of preventing their harassment, persecution, intimidation or subjection to coercive measures in the exercise of the rights recognized in the present Agreement.
**Could move to Art. 9 bis.*
5. (ex 8) None of the provisions of the present Agreement shall limit or repeal other rights or standards set forth in any other existing international agreement that is applicable.
6. (ex 9) In the same vein, the Parties may guarantee broader access to information, participation and justice in environmental matters than provided in the present Agreement, by means of existing or future national measures, regardless of what is established in the present Agreement.
7. (ex 11) The Parties shall guarantee the exercise of the rights recognized in the present Agreement in accordance with the principles recognized herein.
8. (ex 12) In the implementation of the present Agreement, the Parties shall adopt the most favourable interpretation in order to guarantee the fullest effectiveness of access rights and the protection of the environment.
9. (ex 13) For the implementation of the rights of access, the Parties shall encourage the use of new information and communications technologies, such as, inter alia, open data, in the different languages used in the country, as appropriate. In no circumstances shall the use of electronic media constrain or result in discrimination against the public.
10. (ex 7) The Parties shall coordinate the activities conducted in accordance with the present Agreement with other existing and relevant international agreements to which they may be Party, as applicable, in order to strengthen synergies and avoid duplication of efforts in fulfilling the objective of the present Agreement.

11. The Parties shall encourage the application of the provisions of the present Agreement in other international forums when environmental matters are involved.

Suggestion to move to final provisions

The Parties shall disseminate the existence of the present Agreement, promoting the observance of its provisions and inviting other non-Party countries of Latin America and the Caribbean to adhere to it.