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ENGLISH

ORIGINAL: SPANISH

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

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 Development¹ 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.

16-00323

¹ A/CONF.216/13.

Annex 1

**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*,¹ 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,² 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 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.

¹ LC/L.4011/Rev.1.

² 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.³

³ 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>.