



7 April 2014
ORIGINAL: SPANISH



Fourth [Virtual] Meeting of the Working
Group on Access Rights and Regional
Instrument created in the Plan of Action
to 2014 of the Declaration on the application
of principle 10 of the Rio Declaration on Environment
and Development in Latin America and
the Caribbean

Friday, 4 April 2014

[This document has not been subject to editorial review]

MINUTES – SUMMARY OF THE MEETING

1. BACKGROUND

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, adopted in Guadalajara (Mexico) in April 2013, established two Working Groups in order to advance towards the achievement of a regional instrument. According to the Plan of Action, the Working Group on access rights and the regional instrument has the objective of deepening knowledge on access rights with the outlook of proposing the nature and contents of a regional instrument.

Below is a description of the development and conclusions of the Fourth meeting of the Working Group on Access Rights and Regional Instrument, which had the aim of defining the main tasks to be carried out by the Working Group in 2014 so as to fulfill the aforementioned purpose and the calendar for the year. Annex 1 contains the list of participants of the meeting.

2. DEVELOPMENT OF THE MEETING

In the welcoming words, ECLAC highlighted the interest that the meeting had aroused and informed of the recent joining of El Salvador to the Declaration.

Afterwards, the coordinators of the Working Group (Brazil and Costa Rica) summarized the actions carried out by the Working Group since its creation. The coordinators noted the three

meetings held in 2013 (two virtual and one in person) and the elaboration (and adoption in the Third meeting of signatory countries of the Declaration) of the Lima Vision for a regional instrument on access rights in environmental matters. Moreover, they recalled that at the last meeting of the Working Group, it was agreed that during 2014 discussions would continue to make a proposal on the nature and content of the regional instrument to be considered at the Fourth Meeting of the Signatory Countries.

The delegate from Costa Rica, as one of the coordinators of the Working Group, then presented a proposal on the main tasks to be carried out during 2014 with emphasis on: i) the contents and ii) nature of the regional instrument. The proposal and calendar for 2014 made by the coordinators is included as Annex 2.

The coordinator's proposal includes a request made to ECLAC to prepare a first proposal of matters to be considered in the instrument, on the basis of the results of the assessment, to be discussed at the Fifth Virtual Meeting of the Working Group: the invitation of experts to clarify doubts and/or consider any matters regarding the nature with greater detail, in view of the Sixth Virtual Meeting of the Working Group; the holding of the Seventh Meeting of the Working Group in person so as to discuss the proposal to be considered in the Fourth Meeting of the Signatory Countries of the Declaration.

The delegate from Costa Rica added that is important that countries start defining their positions during the year and, especially after the discussions on the types of instruments in public international law, so as to reach an agreement at the Fourth Meeting of Signatory Countries to be held in November 2014.

The delegate from Brazil further noted that during the year it was important to advance in the discussion on the nature and contents of the instrument since having a more clear and shared understanding of the latter would also allow to clarify the legal nature which would be more convenient for the instrument. He recalled that it is hoped that the highest degree of consensus be reached in defining the nature and content. He added that the document adopted in Lima will be a very important guideline for this year's discussions as it is a document agreed in the framework of the process.

In the open dialogue which followed the coordinators' presentation, participating delegates valued the opportunity of discussing during the year the characteristics of the instrument and the implications of each option and they reiterated their support to the proposal presented by the coordinators.

The public also valued the proposal, highlighting that it would allow to build on what was achieved so far. The public also asked how to send their input to the proposal of matters to be considered in the instrument.

A representative from the TAI Network (The Access Initiative) stated that the coalition had established a group of legal experts to provide input and follow the discussion on the contents of the instrument and asked how those experts could participate in the debate on the proposed nature of the instrument.

The delegate from Dominican Republic, one of the Presiding Officers, stressed the importance of generating synergies between both Working Groups defined in the Plan of Action, so as to guarantee that the discussion on best practices would also contribute to the discussion on the contents of the instrument.

The delegate from Chile recalled that this year was key and that both Working Groups were created to advance towards the adoption of a regional instrument. She highlighted that the Presiding Officers had closely accompanied the coordinators of the Working groups in their work proposals. In addition, she noted the need that Focal Points coordinate themselves with their ministries and national civil society so as to arrive at the meetings with sufficient and clear proposals, definitions and mandates. She also congratulated the TAI Network for their preparation and commended their successes such as their input in the agreed common vision.

The delegate from Argentina brought up the need to share the proposed working agenda with other organizations before approving it. She requested that ECLAC explain the process of elaboration of the first proposal of contents for the future instrument and underlined the importance of advancing in the discussions on means of implementation.

A member of the public noted the importance of raising awareness on the status of access rights in multilateral environmental agreements which the Signatory Countries belong. Another member suggested that this should be analyzed by each country individually.

A representative from the MA programme on Political Science from the Catholic University of Chile gave account of their follow-up of the implementation of the Declaration, thanks to an agreement with Chile's Ministry of the Environment. He expressed the interest of their programme in submitting substantive information to the discussions that would take place this year.

The coordinators thanked the commentaries and questions and reminded that, as done previously, all documents from the Working Group would be uploaded to the website of the process and open for commentaries both by the Signatory Countries and the general public. They also recalled the Signatory Countries' will to advance towards a regional instrument open to all countries in the region and with the significant participation of all interested citizens. They valued the creation of the group of experts by The Access Initiative and the offer made by the Catholic University of Chile and invited them to provide input. Furthermore, they noted that countries must be clear on the commitments already made in access rights and stressed the importance of arriving to the meetings with clear mandates.

With regard to question on the request made to elaborate a first document on matters to be considered in the instrument, ECLAC specified that it will be a first working draft of matters to support the debate of the Working Group and build understanding on the matters of the regional instrument between countries. As a result, it clarified that it will not be a zero draft of the instrument. In addition, it added that the agreed documents of the process will be the basis for the drafting of the document by ECLAC.

3. AGREEMENTS

- It was agreed that a window of one week (until Friday, 11 April) would be given for commentaries to the Work Plan agreed in the meeting.
- It was agreed that the draft of matters to be considered in the instrument, requested to ECLAC, would be uploaded to the website of the process 10 days before the next meeting scheduled for Friday, 23 May 2014.

Annex 1
LIST OF PARTICIPANTS

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

ARGENTINA

Punto focal/Focal Point:

- Brenda Mariana Pangrazi, Secretario de Embajada, Ministerio de Relaciones Exteriores y Culto

BRASIL/BRAZIL

Punto focal/Focal Point:

- Bernardo Macke, Coordinación General de Desarrollo Sostenible, Ministerio de Relaciones Exteriores

CHILE

Puntos focales/Focal Points:

- Constance A. Nalegach, Punto Focal Democracia Ambiental, Ministerio de Medio Ambiente

Otros participantes / Other participants:

- Jacqueline Ladino, Dirección de Medio Ambiente y Asuntos Marítimos, Ministerio de Relaciones Exteriores
- Julio Cordano, Ministerio de Relaciones Exteriores

COLOMBIA

Punto focal/Focal Point:

- María Angélica García, Segundo Secretario de Relaciones Exteriores, Ministerio de Relaciones Exteriores

COSTA RICA

Punto focal/Focal Point:

- Mariamalia Jiménez, Ministerio de Relaciones Exteriores

MÉXICO/MEXICO

Otros participantes / Other participants:

- Berta Helena de Buen, Directora General Adjunta de Participación y Atención Ciudadana, Secretaría de Medio Ambiente y Recursos Naturales
- Vicente Silva Liga, Subdirector de Participación Social, Secretaría de Medio Ambiente y Recursos Naturales
- Alfa Ramos Herrera, Secretaría de Medio Ambiente y Recursos Naturales
- Miguel C. Molina, Subdirector de Asuntos Internacionales de Acceso, IFAI, México

REPÚBLICA DOMINICANA/DOMINICAN REPUBLIC

Punto focal/Focal Point:

- Tirsis Quezada, Directora de Planificación y Desarrollo del Ministerio de Medio Ambiente y Recursos Naturales

URUGUAY

Punto focal/Focal Point:

- Alison Graña, Secretario del Servicio Exterior, Dirección de Medio Ambiente, Ministerio de Relaciones Exteriores

B. Público / Public

- Carla Aceves Ávila, Universidad de Guadalajara, México
- Carolina Álvarez, periodista, Chile
- Danielle Andrade
- Luisa Arauz, CIAM, Panamá
- Sherrie Baver, Professor of Political Science, CUNY, United States
- Mariano Beret Rodríguez, Legalis, México
- Anne-Laure Bouchet, CEDA, Ecuador
- Gabriela Burdiles Perucci, Directora de Proyectos FIMA, Chile
- Isabel Calle Valladares, SPDA, Perú
- Jorge Calvo Campos, Magíster U Católica, Chile
- Denisse Carvacho
- Olimpia Castillo Blanco, Comunicación y Educación Ambiental SC
- Andrea Cerami, Programa Defensa y Políticas Públicas, México
- Alejandra Cornejo, CEDEPESCA, Argentina
- Hugo Corral Mamut, Presidente, Observatorio Social de DDHH, Argentina
- Ezio Costa Cordella, Director Ejecutivo FIMA, Chile
- Chiara Costanzo, Phd candidate, National University of Ireland, Ireland
- Jaime Delgado Ugrin, Sociólogo, Magíster U Católica, Chile
- Carmelo Ecarri, Gente de Soluciones, Venezuela
- Noel Ehrler, Magister U. Católica, Chile
- Daniela Erazo, CEDA, Ecuador
- Carole Excell, Senior Associate, TAI WRI, United States
- Teresa Flores, Bolivia
- Juan Ignacio Ipinza, Magíster U Católica, Chile
- Alessandro Lodi, Casa de la Paz, Chile
- Patricia Madrigal, Cooper Solidar, Costa Rica
- Pia Marchegiani, FARN, Argentina
- Allan Mejía, ASONOG, Honduras
- Alexandra de Moreau
- Renato Morgado, Imaflora, Brazil
- Jorge Eduardo Naranjo, Magíster U Católica, Chile
- Valeria Noé Figueroa, Magíster U Católica, Chile
- Rodolfo Daniel Olivari, Argentina
- Laura Palmense, Instituto de Derecho Ambiental de Honduras, Honduras

- Francisca Reyes, Chile
- Antonio Rubio, Casa de la Paz, Chile
- Daniel Ryan, Director Área Cambio Global, FARN, Argentina
- Andrea Sanhueza
- Tomás Severino
- Pablo Valenzuela, Director Ejecutivo, Casa de la Paz, Chile
- Eduardo Vergara Lope de la Garza, Director, Juventud Siglo XXI A.C., México
- Francisco Vicencio, Magíster U Católica, Chile
- Ernesto Villegas Rodríguez, Colombia
- Sharon Zababuru Chávez, SPDA, Perú

C. Secretaría / Secretariat

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

- Carlos de Miguel, Oficial de Asuntos Ambientales, División de Desarrollo Sostenible y Asentamientos Humanos/Environmental Affairs Officer, Sustainable Development and Human Settlements Division
- Valeria Torres, Oficial de Asuntos Económicos, División de Desarrollo Sostenible y Asentamientos Humanos/Economic Affairs Officer, Sustainable Development and Human Settlements Division
- David Barrio, Oficial de Asuntos Políticos, División de Desarrollo Sostenible y Asentamientos Humanos/Political Affairs Officer, Sustainable Development and Human Settlements Division

Annex 2

CALENDAR FOR 2014

DATES OF MEETINGS	WORKING GROUP ON ACCESS RIGHTS AND REGIONAL INSTRUMENT <i>Objective: deepen knowledge on access rights with the outlook of proposing the nature and contents of a regional instrument</i>	
Fourth Meeting of the Working Group Date proposed: Friday 4 April 2014 VIRTUAL	<u>Agenda:</u> 1. Summary of work carried out in 2013 and review of objectives achieved by the working group to date 2. Calendar for 2014 and thematic working proposal (objective 2014) 3. Open discussion on 2014 objectives: proposal of matters to be considered in the instrument and nature of the instrument 4. Request ECLAC to prepare a first proposal, on the basis of the results of the assessment, regarding the matters to be considered in the instrument 5. Invite experts, according to agenda, to clarify doubts and go into further detail in terms of matters concerning the nature	<u>Expected outcomes:</u> 1. Calendar of meetings and activities to be carried out in 2014 2. Agreement on how to advance towards the definition of the matters to be considered in the instrument (Make request to ECLAC and invite experts)
Fifth Meeting of the Working Group Date proposed: Friday 23 May 2014 VIRTUAL	<u>Agenda:</u> 1. Presentation of the draft proposal on matters to be considered in the instrument 2. Discussion	<u>Expected outcomes:</u> 1. Input for the elaboration of a proposal of contents to be developed in the instrument for consideration of focal points in the Fourth Meeting of Signatory Countries (November 2014). The proposal of contents will be prepared by the coordinators with the support of the Presiding Officers and ECLAC and sent to participants 21 days before the in person meeting of the Working Group (October)

Sixth Meeting of the Working Group Date proposed: Friday 1 August 2014 VIRTUAL	<u>Agenda:</u> 1. Presentation on types of instruments (Dr. Marcos Orellana) 2. Presentation on how to advance towards the full application of Principle 10 in LAC: two experts from the region invited (Caribbean and Latin America) 3. Open discussion and clarifications	<u>Expected outcomes:</u> Meeting for information purposes only, no outcome expected
Seventh Meeting of the Working Group Date proposed: First week of September 2014 IN PERSON	<u>Agenda:</u> 1. Presentation of the document on contents and legal nature of the regional instrument 2. Discussion 3. Agreement on the document to be presented to the Fourth Meeting of Focal Points of the Declaration	<u>Expected outcomes:</u> Proposal on the nature and contents of the regional instrument, taking into consideration the reports and products provided by the Working Group on Capacity-Building and Cooperation
Fourth Meeting of Focal Points of the Signatory Countries of the Declaration on the Application of Principle 10 in LAC ECLAC (Santiago, Chile), 4, 5 and 6 November 2014 IN PERSON	Presentation of the results of the Working Group on Access Rights and Regional Instrument	