

16 June, 2015

Dear delegates and members of the public,

As you know, at the United Nations Conference on Sustainable Development (Rio+20), held in Rio de Janeiro in June 2012, the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development was signed. In this Declaration, signatory countries committed, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC) as technical secretariat, to develop and implement a Plan of Action, in order to advance the implementation of a regional convention or another instrument for the rights of access to information, participation and justice in environmental matters.

Thus far, the Declaration has been signed by 20 countries: Antigua and Barbuda, Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia, St. Vincent and the Grenadines, Trinidad and Tobago and Uruguay.

Open to all Latin American and Caribbean countries, the process has been making progress through regular meetings and the adoption of documents. Between 2012 and 2014, four meetings of the focal points of the signatory countries and fourteen meetings of working groups were held. In addition, during this period the Road Map, the Plan of Action, the Lima Vision and an annotated index of topics of the instrument (San José Content) were adopted.

At the fourth meeting of the focal points appointed by the Governments of the signatory countries to the Declaration held in Santiago from 4 to 6 November 2014, the Santiago Decision was adopted. In the same, the countries decided to begin negotiations on a regional instrument on access to information, public participation and access to justice in environmental matters in Latin America and the Caribbean. To this effect, a negotiating committee was established with the significant participation of the public. In addition, Presiding Officers were appointed, comprising Chile and Costa Rica as co-chairs and Argentina, Mexico, Peru, Saint Vincent and the Grenadines and Trinidad and Tobago as vice-chairs, who were requested to coordinate with the support of ECLAC as technical secretariat, the process with a view to concluding negotiations on the regional agreement by December 2016.

At the first 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 Santiago in May 2015, countries adopted the organization and work plan of the Committee. At the Work Plan it was agreed that the public will have significant participation in the negotiation process in accordance with the provisions and modalities set forth in the Santiago Decision and the Plan of Action adopted in Guadalajara, Mexico, which shall be reviewed during the process to facilitate their application.

Against this background, the Presiding Officers agreed that the co-chairs would prepare a draft proposal on the specification of the modalities of participation of the public, as agreed on the first meeting of the Negotiating Committee, to be discussed by countries and the public at the Intersessional meeting of the Committee to be held virtually on July 28, 2015.

We would like to take this opportunity to invite you all, countries and members of the public, to actively engage in the discussions on specification of modalities of participation of the public at the Negotiating Committee to ensure that they will allow for the public to have significant participation in the process as has been so far and proven to be successful.

States and public may submit written contributions prior to the virtual meeting to be held on July 28<sup>th</sup> and until two weeks after the meeting. These contributions will be made available on the ECLAC Principle 10 web page. Please send them to: [principio10.lac@cepal.org](mailto:principio10.lac@cepal.org).

Participants at the virtual meeting on July 28<sup>th</sup> are also encouraged to submit their oral statements in writing prior to their interventions in order to facilitate interpretation. Please send them also to: [principio10.lac@cepal.org](mailto:principio10.lac@cepal.org).

Based on the discussion on July 28<sup>th</sup> and the written contributions received, the co-chairs would prepare a new version of the proposal to be presented at the Intersessional virtual meeting of the Negotiating Committee to be held on September 3<sup>rd</sup>, 2015. This version will be distributed to countries and the public six weeks prior the Second meeting of the Negotiating Committee for consideration and adoption of States.

As agreed at the Organization and Work Plan of the Negotiating Committee, no decisions would be taken at the intersessional meetings of the Committee. Notwithstanding this, we expect that discussion at the intersessional meetings would favour the reaching of consensuses so as to facilitate the adoption of agreements by States at the Second Meeting of the Negotiation Committee of the Regional Agreement to be held on 27-29 October in Panama.

Please accept the assurances of our highest consideration.

Chilean and Cost Rica Focal Points

cc: All focal points appointed by the Governments of the Signatory Countries of the Declaration of the Application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean and members of the public registered at the Public Regional Mechanism.