



28 July 2015
ORIGINAL: SPANISH



Intersessional 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 (virtual)

Tuesday, 28 July 2015 [virtual]

[This document has not been subject to editorial review]

MINUTES – SUMMARY OF THE MEETING

1. BACKGROUND

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 from 5 to 7 May 2015, the countries adopted the Organization and Work Plan of the Negotiating Committee. Such document established the calendar of meetings for 2015, which included two intersessional virtual meetings prior to the second meeting of the Negotiating Committee to take place in Panama City from 27 to 29 October 2015.

In the Organization and Work Plan of the Negotiating Committee, the countries also 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, as appropriate, in order to facilitate their application.

In view of the above, the Presiding Officers of the Negotiating Committee agreed to dedicate the first intersessional meeting of the Negotiating Committee to the presentation and discussion of the proposal on the specification of the modalities of public participation in the negotiation, prepared by the co-chairs of the Presiding Officers of the Committee. Pursuant to the Organization and Work Plan of the Negotiating Committee, no decisions are to be taken at virtual meetings.

The countries and public were invited to send their comments in writing before the meeting. In addition, a deadline of two weeks was given after the meeting to send additional comments. The inputs received before and after the meeting are available at: <http://www.cepal.org/en/events/intersessional-meeting-virtual-negotiating-committee-regional-agreement-access-information>.

Below is a description of the development of the virtual meeting held on 28 July 2015.

Annex 1 contains the list of participants of the meeting.

2. DEVELOPMENT OF THE MEETING

In the opening remarks, ECLAC recalled that the regional process began at the United Nations Conference on Sustainable Development (Rio+20) with the signature of the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development. After a preparatory phase, in November 2014 the signatory countries agreed to initiate the negotiation of a regional agreement on access to information, public participation and access to justice in environmental matters in Latin America and the Caribbean.

It added that the objective of the meeting was to present and discuss the proposal on the specification of modalities of public participation in the Negotiating Committee prepared by the co-chairs at the request of the Presiding Officers. It also recalled that as agreed in the Organization and Work Plan of the Negotiating Committee, the aim was to ensure that the negotiation process had the significant participation of the public in accordance with the provisions and modalities set forth in the Santiago Decision and the Plan of Action adopted in Guadalajara, Mexico.

Afterwards, the delegate of Chile stated that the Presiding Officers of the Negotiating Committee had agreed that the co-chairs would prepare a draft proposal on the specification of the modalities of public participation in the Committee to be discussed by the countries and the public at the first virtual intersessional meeting. She added that, based on the discussions and written contributions received, the co-chairs would prepare a new version that would be presented at the virtual intersessional meeting of 3 September 2015. She recalled that at intersessional meetings no decisions are taken. However, she hoped that the discussion would favour the reaching of consensuses and facilitate the adoption of agreements at the second meeting of the Negotiating Committee to be held from 27 to 29 October 2015 in Panama.

Furthermore, she indicated that the significant participation of the public was at the core of the process and that this had been expressed in the Declaration that triggered the process as well as the Roadmap adopted at the first meeting of the focal points appointed by the signatory countries of the Declaration. She stated that the specification of the modalities of participation were built on what was already agreed in the Guadalajara Plan of Action. Three levels of participation were included in the latter: attendance, reporting and making statements.

She ended by indicating that written comments on the proposal could be sent by 11 August and that the new proposal would be available six weeks before the second meeting of the Negotiating Committee for the consideration of the countries. The representative of ECLAC added that all input received would be uploaded to the webpage of the process (<http://www.eclac.org/en/principle10>).

In the discussion following the presentation, participants thanked the co-chairs for drafting the proposal and highlighted its importance.

The representative of the International Development Law Organization (IDLO) said that they were participating for the first time in a meeting of the process. He underscored that one of the key work

themes of his organization was access to justice and that it was their intention to become actively involved in the process.

Members of the public from Chile, Colombia, the Dominican Republic, Ecuador, Jamaica and Mexico made specific comments to the proposal on the specification of the modalities of public participation in the Negotiating Committee. These, they said, had been included in a document sent prior to the meeting by The Access Initiative for Latin America and the Caribbean.

The delegate of Mexico stated that they had sent written contributions prior to the meeting and made her country's observations on the proposal on the specification of the modalities.

A member of the public from Colombia stated that great efforts had been made in the framework of the process to set standards for the significant participation of the public and that these should be reflected at the national level to favour public participation internally.

A member of the public from Chile requested that the delegation of Mexico clarify their comments to the proposal of the co-chairs. In particular, clarification was sought on the limitation of the participation of the public from other regions of the world in the Negotiating Committee and on having the Presiding Officers review that the proposals from the public did not contravene the provisions of the negotiation document.

The delegate of Mexico said that in both cases, what it was sought was to optimize the process and render it more efficient.

The delegate of Chile stated that, under points 6.1 and 8, the proposal on the specification already gave preference to those persons from the region to participate in the Negotiating Committee.

A member of the public from Honduras underscored the importance of public participation in the negotiation process.

A member of the public from Colombia also requested clarification from the delegation of Mexico with regards to what they considered to be a proposal that would not contradict the negotiation document. She also requested that the clarifications be recorded in writing.

The delegate of Mexico stated that they would review their proposal and send an alternative wording to clarify this point.

The representative of the public from the Caribbean affirmed the need of guaranteeing the broadest public participation possible and proposed to request the Caribbean Community and the Organisation of Eastern Caribbean States to support the dissemination of the process and its documents.

A member of the public from Colombia asked about how to participate internally as it was not clear to her how this could be done in each country.

The representative from ECLAC replied that each country was competent for their national processes and that her message would be sent to the delegate of Colombia.

A participant from Regional Environmental Center praised the document and the process. She stated that they hoped to continue building bridges with Latin American and Caribbean civil society. She also offered their experience and support in the negotiations.

The delegate of Argentina thanked the comments and asked about point 6.1 as she was unclear as to how the presence of the public was favoured. She also asked about how point 6.3 was carried out in practice and requested clarification on the incorporation of the proposals of the public into the negotiation document provided that one country backed them.

The delegate of Chile stressed that the process had characterized itself by its openness and participation. In response to the question made by delegate of Argentina on point 6.1, she specified that this was set out in the modalities of attendance. Therefore, it referred to the physical presence in the room and without excluding the participation of other regions. With regard to the second point, she underscored that, once adopted, the instrument should be applied within each State. As a result, she called for increasing public participation internally so that the citizens could become aware of the instrument.

In the closing remarks, ECLAC thanked all the participants for their comments. It also stated that written comments could be sent in the coming days and that, as all other documents, these would be uploaded to the webpage of the process. On the other hand, it recalled that the next intersessional meeting would take place on 3 September 2015 and that the second meeting of the Committee would be held in Panama from 27 to 29 October 2015.

On behalf of the co-chairs, the delegate of Chile expressed her gratitude and good will and valued the contributions of the public in the meeting and the process.

Anexo 1
Annex 1
LISTA DE PARTICIPANTES
LIST OF PARTICIPANTS

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

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