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First Virtual Meeting of the Working Group on Rights of Access 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

**[This document has not been subject to editorial review]**

## MINUTE – 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 established two Working Groups in order to advance in the achievement of a regional instrument:

- i) Working group on capacity-building and cooperation;
- ii) Working group on access rights and the regional instrument.

The Plan of Action mentions that all signatory countries may participate in the working groups, in which they may be represented by the focal points or by a representative appointed by them. Non-signatory countries of the region may participate as observers in these meetings of groups formed by signatory countries. Each group will elect at least one coordinator and an alternate from among the government representatives and stakeholders that will participate according to modalities set forth in the Plan of Action.

In the Second meeting of focal points of the Declaration, held in Guadalajara in April 2013, Brazil and Costa Rica assumed the coordination of the working group on rights of access and regional instrument. The objective of the group defined in the Plan of Action is to deepen knowledge on access rights with the outlook of proposing the nature and contents of a regional instrument.

Focal points and other public servants, as well as members of civil society registered in the Regional Public Mechanism participated in the first virtual meeting of the group. The full list of participants can be found in Annex I.

## 2. DEVELOPMENT OF THE MEETING

The meeting started after a brief presentation of the Delegate of Costa Rica as coordinator, regarding the objectives of the meeting and the working method.

Afterwards, the Delegate of Chile, which currently presides over the Board of the Declaration, made a brief presentation of the process and advances to date. The recent accession of Argentina to the process was highlighted. This was followed by a few words from the focal point designated by Argentina, which expressed its pleasure and thanked the Board for its support and management made in order to achieve the accession.

### Presentation of the regional diagnostic on the implementation of Principle 10

ECLAC, as technical secretariat of the Declaration, presented the results of the document “Access to information, participation and justice in environmental matters in Latin America and the Caribbean: situation, outlook and examples of good practice”. The document was prepared from a revision of legislation and institutional frameworks of the 33 countries of Latin America and the Caribbean that protect access to information, participation and justice in environmental matters. The information compiled was complemented by a questionnaire on the implementation of Principle 10 of the Rio Declaration, which was answered by 16 countries of the region and 10 non-governmental organizations. The preliminary version of the document, which was presented in the Second meeting of focal points, held in Guadalajara, received contributions and comments which will be integrated into the final version, soon-to-be published. The presentation is available at <http://www.cepal.org/rio20/principio10>.

### Dialogue with participants

Participants from the meeting highlighted the fact that the meetings were open to the public and suggested the main challenges in advancing the application of principle 10. They emphasized: implementing the Plan of Action at a national level; training administrative and judicial public servers; training and participation of citizens to be able to present constructive proposals and, lastly, the limitations that inner conflicts pose for the process.

Among the questions raised in the discussions, the public expressed their interest in knowing how they will be able to participate in the report that the Group is to present at the Third meeting of focal points, informing that the members of the Access Initiative-LAC region held a meeting in Quito at the end of July to prepare for their participation in the process. Also, the public asked how their comments to the ECLAC document on the situation of rights of access in Latin America and the Caribbean had been integrated. The first question was answered by the coordinators, which explained that the Group report will be available for comments two weeks before the Third Meeting. Regarding the ECLAC document, the technical secretariat explained that most of the observations to the document were included in the final version, which will be published soon.

The benefits of centering the debate this year on the common vision and objectives and features of international instruments were discussed, using the ECLAC document and the baseline it shows regarding the three pillars of Principle 10.

The representatives of the Access Initiative stated that their coalition will defend a legally-binding regional convention, basing their position on four main reasons: environmental challenges require better legal instruments to address them; conflicts require channels for social dialogue to promote social peace; the challenge of legitimize the exercise of power and public institutions, considering it is a governance

and environmental democracy issue: and the limited capacities that make it necessary to have mechanisms that involve local communities and strengthen public institutions.

The government of Chile emphasized that they have an ambitious commitment before them: the full implementation of access rights, and that the instrument and contents agreed should aim at that objective.

A consensus was reached among the participants in the need to have a common understanding of the different kinds of instruments.

Finally, the importance of discussing what the instrument is to achieve was highlighted. To this end, it was suggested that the Aarhus Convention thoroughly be analyzed in terms of what it does, which is the closest referent the international community offers, in order to understand the process of this instrument.

#### Calendar establishment and method for future meetings: Proposal from the coordinators

The coordinators proposed to participants the establishment of a Quickr site administrated by ECLAC in order to advance issues between sessions in the Groups discussions. Also a second virtual meeting at the end of September 2013 and a third in-person meeting to be held back to back with the Third meeting of focal points were proposed.

### **3. AGREEMENTS**

#### **Consistent with the Plan of Action, the decisions reached were:**

- To ask ECLAC to hire an international consultant in order to produce a document that describes the different kinds of existing instruments in international law and its features regarding nature, capacity-building, and complying mechanisms. At the same time, the document should review international and regional legal frameworks that protect the rights of access.
- To continue the discussions of the Working Group virtually through a Quickr site. ECLAC will send participants information about how to register and login to the site.
- From the preliminary results of the international consultancy, the group coordinators, with the support of the Presiding Officers and the Technical Secretariat, will elaborate a proposal report to be subject to consideration by all focal point, on the common vision that should inspire the regional instrument, as well as other relevant aspects.
- The coordinators' proposal will be sent to all participants of the group and disseminated through the Declaration website for comments and observations two weeks before the Third meeting.

**Anexo 1 – Annex I**  
**LISTA DE PARTICIPANTES**  
**PARTICIPANTS LIST**

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

**ARGENTINA**

Punto Focal / Focal Point

- Fabiana Loguzzo, Directora General de Asuntos Ambientales del Ministerio de Relaciones Exteriores y Culto

Otros participantes:

- Brenda Mariana Pangrazi, Secretario de Embajada, Dirección General de Asuntos Ambientales, Ministerio de Relaciones Exteriores y Culto

**BRASIL/BRAZIL**

Punto Focal / Focal Point

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

**CHILE**

Punto Focal / Focal Point

- Constance Nalegach, Ministerio de Medio Ambiente

Otros participantes:

- Gabriel Mendoza, Encargado de Participación Ciudadana, Oficina de Transparencia y Participación Ciudadana, Ministerio del Medio Ambiente
- Lorena Troncoso, Jefa de la Oficina de Transparencia y Participación Ciudadana, Ministerio de Medio Ambiente

**COLOMBIA**

Punto Focal / Focal Point

- María Angélica García, Coordinadora de Asuntos Sociales, Ministerio de Relaciones Exteriores

Otros participantes:

- Omar Quiñones, Ministerio de Ambiente y Desarrollo Sostenible

**COSTA RICA**

Punto Focal / Focal Point

- Mariamalia Jiménez, Ministra Consejera de la Embajada de Costa Rica en Santiago

**MÉXICO/MEXICO**

Otros participantes:

- María del Rosario Vásquez Rosales, Director de Asuntos Internacionales de Acceso, Dirección General de Asuntos Internacionales, Instituto Federal de Acceso a la Información y Protección de Datos

- Miguel Molina, Subdirector de Asuntos Internacionales de Acceso, Dirección General de Asuntos Internacionales, Instituto Federal de Acceso a la Información y Protección de Datos
- Jorge Manuel Hori, Director de Derechos Humanos, Secretaría de Medio Ambiente y Recursos Naturales

## **PANAMÁ/PANAMA**

### Otros participantes:

- Linesel Saavedra, Abogada, Oficina de Asesoría Legal, Autoridad Nacional del Ambiente

## **URUGUAY**

### Punto focal / Focal point:

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

### **B. Miembros del Público / Public**

- Luisa Pilar Araúz, Centro de Incidencia Ambiental (CIAM), Panamá
- Isabel Calle, Directora Programa de Política y Gestión Ambiental, Sociedad Peruana de Derecho Ambiental (SPDA)
- Andrea Cerami, Centro Mexicano de Derecho Ambiental
- Ezio Costa, Director Ejecutivo FIMA Chile
- Karetta Crooks, Communications & Advocacy Officer Saint Lucia National Trust, St Lucia
- Carole Excell, Senior Associate, World Resources Institute
- Teresa Flores, Coalición Iniciativa de Acceso- PRODENA Bolivia
- Ana Lucía Maya, Ambiente y Sociedad, Colombia
- Paula Martins, Article 19, Brasil
- Carol Mora, Sociedad Peruana de Derecho Ambiental (SPDA)
- Florencia Ortuzar, AIDA-Américas, Chile
- Daniel Ryan Fundación Ambiente y Recursos Naturales (FARN), Argentina
- Andrea Sanhueza, Iniciativa de Acceso América Latina
- Ezequiel Santagada, Director Ejecutivo, Instituto de Derecho y Economía Ambiental - IDEA
- Sofía Suárez, Especialista Legal, Centro Ecuatoriano de Derecho Ambiental - CEDA
- Tomás Severino, Director Cultura Ecológica A. C. de México
- Sharon Zabarburu, Sociedad Peruana de Derecho Ambiental (SPDA)

### **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
- Guillermo Acuña, Asesor Legal, Oficina de la Secretaría de la Comisión/Legal Assistant, Office of the Secretary of the Commission