

**ANNEX 1
NOMINATION FORM
MEMBERS OF THE COMMITTEE TO SUPPORT THE IMPLEMENTATION OF AND
COMPLIANCE OF THE ESCAZÚ AGREEMENT**

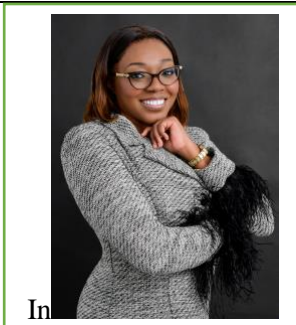
ALL FORMS RECEIVED WILL BE PUBLISHED

**PLEASE SEND TO secretaria.escazu@cepal.org by 15 December 2022
(11:59 pm Santiago, Chile time)**

A. Personal details

(1) Full name: **Gavern Mitchell**

(2) Date of birth (day/month/year): **11th February, 1985**



(3) Nationality: indicate if you have more than one and whether you have initiated legal procedures to acquire new nationalities. If you have multiple nationalities of the countries listed in annex 1 of the Escazú Agreement, indicate which is to be considered the main nationality for the purposes of your nomination.

Citizen of Trinidad and Tobago

(4) Country of residence: **Trinidad and Tobago**

(5) Email address for communications with the Secretariat:

B. Languages: please indicate whether you are fluent in at least one of the working languages of the Escazú Agreement, English or Spanish, both oral and written. Knowledge of other languages of the region would be an asset.

Level of Spanish:

Oral:	Basic: <input type="checkbox"/>	Intermediate: <input checked="" type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>
Written:	Basic: <input type="checkbox"/>	Intermediate: <input checked="" type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>

Level of English:

Oral:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input checked="" type="checkbox"/>
Written:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input checked="" type="checkbox"/>

Other language: please indicate here _____

Oral:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>
Written:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>

Other language: please indicate here _____

Oral:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>
Written:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>

Other language: please indicate here _____

Oral:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>
Written:	Basic: <input type="checkbox"/>	Intermediate: <input type="checkbox"/>	Advanced: <input type="checkbox"/>	First language: <input type="checkbox"/>

C. Statement of motivation for applying (600–1,000 words maximum)

I believe that I can make a valuable contribution to the Committee. I have worked in environmental regulation for over ten (10) years and have been responsible for proposing, drafting and reviewing several pieces of environmental legislation and policies. As a Legal Officer at the Environmental Management Authority, Trinidad and Tobago, I had to interpret and ensure implementation and compliance of several pieces of environmental law. I have rendered legal advice internally to departments who process applications for environmental permits to ensure that the required information from applicants who wanted access to the information are accurate, timely, accessible to the public and complied with public participation requirements of the Environmental Management Act. I have also assisted the compliance departments, which are responsible for investigations into environmental complaints and the monitoring of environmental permits and licences to ensure compliance.

I am quite confident that I have adequate experience in implementation and compliance of agreements given my work history. Additionally, the experience is topical to the Escazú Agreement being founded in environmental law. Further, apart from implementing environmental law, I have worked on the implementation of processes and policies relevant to the Freedom of Information Act which binds all organisations carrying out a public function. These public bodies are required to make information available to members of the public accessible electronically or in print, within defined timelines. As the Alternate Freedom of Information Officer, I had the responsibilities of ensuring that environmental information was provided to those requesting the information in a timely manner. I have had to interpret the Freedom Information Act and advise the Environmental Management Authority on its legal obligation to provide the information requested, even where sensitive material could be redacted to make the information disclosable. My skill of negotiation had to be used on several occasion to ensure that the independence of the office was maintained as there is a responsibility to get the information to the applicant while balancing the competing interest of the organisation.

My work in environmental and information law has allowed me to interact with several stakeholders in those areas of work. This includes all employees who generate, retain and process environmental information, non-governmental organisations and environmental advocates who consistently request environmental information, personnel of State agencies who are responsible for the promulgation of environmental and information law (inclusive of multilateral agreements) and judicial actors, as we have a specialist environmental court.

I am positioned through my experience and network to advocate for the implementation and compliance of the Escazú Agreement. I developed a passion for information law through exposure in my career and was one of few informed persons in the organisation about the Agreement when it was created. I advocated for it being ratified despite having a Freedom of Information Act because the Freedom of Information Act is general in scope, whereas the Escazú Agreement requires specialisation in environmental information. Consequently, I have always supported and followed the work of the Escazú Secretariat.

D. Time availability: please explain your time availability and commitment to perform the functions of the Committee, i.e. at least three months (90 days) per year (100 words maximum).

I would be able to commit at least three months per year to the Committee. I currently work from home and have flexible working time.

E. Recognized competence in access rights or other matters covered by the Agreement: Please explain how you meet this requirement (600 words maximum).

I have practiced information law as part of my employment for over eight (8) years. I was the Alternate Freedom of Information Officer, whose responsibility was to have oversight of applications for access to environmental information. Overseeing of the access application required meeting statutory timelines for providing the information, engaging with applicants, when necessary, to determine the relevant type of document/information required and also liaising with internal Units to locate, assimilate and redact, where necessary, documents to make them disclosable to persons requesting access to them. In order to process the access to information applications, I would have had consideration to data protection laws to ensure that personal-sensitive information was not disclose during the process of disclosing environmental information.

Also, I have appeared before the Environmental Commission in several environmental matters. Most notably, I successfully represented the Environmental Management Authority against a developer who established a coastal feature with getting the necessary approvals for the project. An environmental impact assessment would have been required for the project, thus the developer would have circumvented the public participation requirement. The non-governmental organization which made the complaint was interested in making representations regarding the negative impacts that the establishment of the sea wall would have on nesting turtles which frequented the area under contention: **EAA 001 of 2019- Environmental Management Authority v George Aboud and Sons Limited & Ors**

F. Legal experience and knowledge: Please explain if you have legal experience and knowledge (300 words maximum).

I am an attorney-at-law with over ten (10) years' experience in environmental law and governance. I have also practiced information law. I received my Bachelors of Law in 2005 from the University of London and was admitted to practice in 2011 after receiving my Legal Education Certificate from the Hugh Wooding Law School.

I have a Certificate of Achievement in Alternative Dispute Resolution from the University of Windsor in which negotiation was the primary dispute resolution tool taught.

I have undertaken courses from Informea on environmental governance, namely:

1. Introductory Course to the International Legal Framework on Environmental Impact Assessments which covered the topic of public participation in environmental decision making.

2. Introductory Course to International Environmental Law which equipped me with information of multilateral environmental agreements from sources, negotiations and Treaty actions.

3. Introduction to Environmental Governance which provided information on environmental governance at the international and regional levels.

I have also attended webinars on the Escazú Agreement on Access to Information, Public Participation and Justice in Environmental Matters: Presentation on the Content of the Regional Agreement and Education, Climate Change and Legislation for Sustainable Development with a Focus on Escazú Agreement hosted by the Caribbean Natural Resources Institute in 2019.

G. Academic background

Degree	Institution	Place	Year
Bachelor of Laws	University of London	London, United Kingdom	2008
Legal Education Certificate	Hugh Wooding Law School	St. Augustine, Trinidad	2011
Certificate in Alternative Dispute Resolution	University of Windsor	Canada	2013

H. Relevant employment

Name of employer, functional title or position, and functions	Years of work	Place
Legal Officer II Environmental Management Authority Environmental Regulation and Data Officer	10 years	St. Clair Trinidad

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I. Independence from the executive, legislative and judicial powers of the State: please indicate how you meet the requirement of being independent from the executive, legislative and judicial powers of the annex 1 countries of the Escazú Agreement (100 words maximum).

Individuals holding office in either the Executive, Judiciary or Legislator are required to comply with the requirements of the Integrity in Public Life Act. I am not required to make any such filings as I considered an ordinary member of the public. Additionally, my interactions with each arm of the State are that of an ordinary citizen. I am not under the direct control of any of the arms of the State.

J. Ethics and integrity

(1) Do you have any official, professional, personal, or financial relationships that could limit, weaken, or bias the performance of your duties? If so, please explain.

No.

(2) Are there any factors that may directly or indirectly influence, pressure, jeopardize or otherwise affect your ability to act independently in exercising your duties? If so, please explain.

No.

(3) Is there any reason, current or past, that could call into question your moral standing and credibility, or do you hold any views or opinions that might prejudice the way in which you discharge your mandate? If so, please explain.

No.

K. Publications: please mention your participation, and explain what capacity, in any publications on access rights or other matters related to the Escazú Agreement (list the five most relevant).

I do not have any publications at this time.

L. Travel and assistance:

(1) Do you have any limitations for travelling during the performance of your mandate? If so, please explain.

I would need advance notice of travel requirements so that it can be communicated to my employer.

(2) Do you require any special assistance to perform the duties of this position? If so, please explain.

No.

M. References: please provide three references that can attest to your experience and competence in the matters of the Escazú Agreement (these individuals may be contacted during the selection process).

1. Full name: Mr. Anthony Vieira	Position: Vice President- ParlAmericas Parliamentary Network on Climate Change	Contact details:
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2. Full name: His Honour Sunil Sookraj	Position: Chairman- Environmental Commission Trinidad and Tobago	Contact details:
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3. Full name: Ms. Marlene Scott	Position: Freedom of Information Officer / Librarian	Contact details:
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