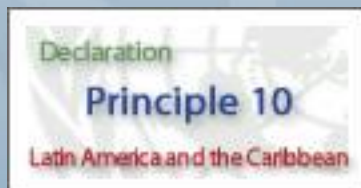


Economic Commission for Latin America and the Caribbean

Sustainable Development and Human Settlements Division

Principle 10 Declaration: Towards a regional instrument for the full exercise of the rights of access to information, participation and justice in environmental matters





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PRINCIPLE 10 OF THE RIO DECLARATION (1992)

Environmental issues are best handled **with participation of all concerned citizens**, at the relevant level.

At the national level, each individual shall have **appropriate access to information** concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the **opportunity to participate in decision-making** processes.

States shall facilitate and encourage public awareness and participation by making information widely available.

Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Rio Declaration on Environment and Development (1992)



ACCESS RIGHTS: THE ROLE OF THE STATES

Capacity-building

- ✓ *Education*
- ✓ *Demand generation*

Information

Definition of
Environmental
information needs
Generation
access

Participation

Informed
Timely
Effective

Justice

Legal framework
Impartial arbitrator
Specialized



PRINCIPLE 10: REGIONAL AND INTERNATIONAL COMMITMENTS

- 1992 • Rio Declaration
- 1992 • Agenda 21
- 1994 • **Declaration of Barbados and Programme of Action SIDS**
- 1998 • Aarhus Convention
- 1999 • Inter-American Strategy for the Promotion of Public Participation in SD
- 2002 • Johannesburg Plan of Implementation
- 2005 • **Mauritius Declaration and Strategy of Implementation**
- 2006 • Declaration of Santa Cruz / Derecho humano fundamental
- 2010 • Bali Guidelines
- 2010 • **Mauritius Strategy of Implementation Review (MSI+5)**
- 2010 • Model Inter American Law on Access to Information (OAS)
- 2011 • Conclusions of the LAC countries Rio+20 preparatory meetings
- 2012 • Rio+20 outcome document “The future we want” (p. 43, 44, 99)
- 2012 • Declaration on the application of Principle 10 in LAC
- 2013 • Santiago Declaration CELAC / Santiago Declaration CELAC - EU
- 2013 • **Caribbean Preparatory meeting for the III Conference on SIDS**



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WHY PRINCIPLE 10?

- ▶ Access to information, participation and justice in environmental matters is a key issue for environmental protection and sustainable development.
 - ▶ Contributes to mitigate market and policy failures.
 - ▶ Is a public good and a fundamental right
 - ▶ Principle 10: better democracy, better economy and more justice
-



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GENERATION OF ENVIRONMENTAL INFORMATION

- ▶ Information on the environment first must be generated in order to be accessed
 - ▶ Examples include pollutant release and transfer registers, toxic pollutant registries, emission inventories, information systems to monitor air and water quality, environmental impact assessments, strategic environmental assessments, state of the environment reports
 - ▶ To address issues such as market failures and improve policies for sustainable development there is a growing recognition for the need of integrated environmental-economic information
-



LAC REGION: STATUS OF THE CREATION OF PRTR, 2013



-  Projected PRTR
-  Has participated in PRTR capacity-building
-  UNITAR regional project
-  Implemented PRTR



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THE FUTURE WE WANT (RIO +20), 2012

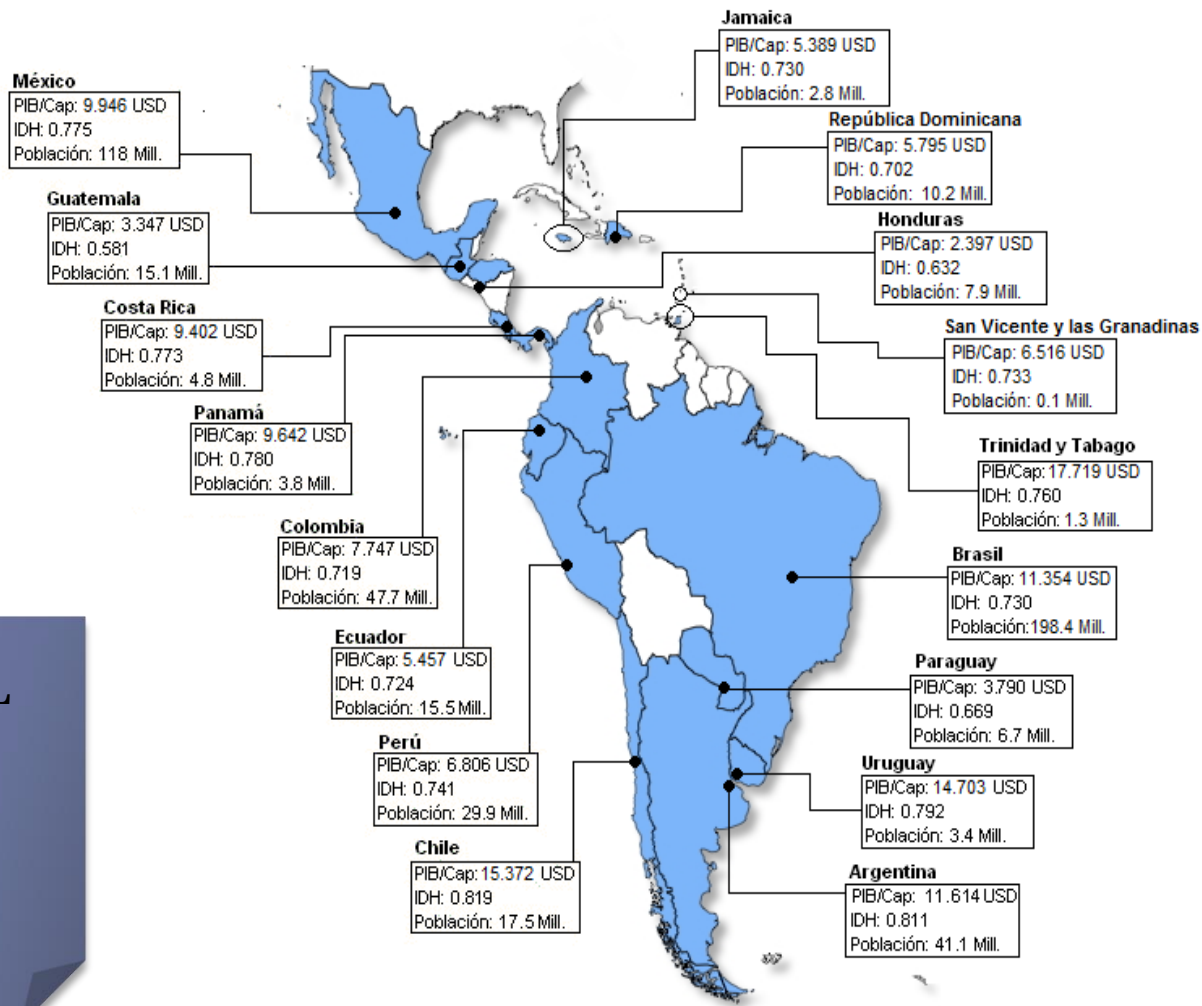
- ▶ 43. We underscore that **broad public participation and access to information and judicial and administrative proceedings are essential to the promotion of sustainable development.**
 - ▶ 44. We recognize that improved participation of civil society **depends upon**, inter alia, **strengthening access to information, building civil society capacity** as well as an enabling environment.
 - ▶ 99. **We encourage action at regional, national, sub-national, and local levels to promote access to information, public participation, and access to justice in environmental matters, as appropriate.**
-



LAC Declaration on the application of Principle 10

- ▶ *Despite our efforts and progress, however, we recognize the need for agreements to ensure the full exercise of rights of access. We are aware that the environmental challenges we face on a national, regional and global level require far more concerted proactive and effective action from the international community and organizations. We are thus willing to explore in detail various ways to enhance the exercise of those rights with the active involvement of the key stakeholders and society as a whole.*
 - ▶ *The above-mentioned Governments therefore commit to drafting and implementing a Plan of Action 2012-2014, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC) as the technical secretariat, to work towards such a regional convention or other instrument.*
-

SIGNATORY COUNTRIES A/CONF.216/13.



POTENTIAL
IMPACT :
> 500
MILLION
PEOPLE



ORGANIZATION OF WORK

SIGNATORY COUNTRIES

Focal points
Decision-making organism

WORKING GROUPS

Focal Point or Representative
Assessing organism

Capacity-building and cooperation
Coordinators:
Jamaica and Colombia

Access rights, consultation and the regional instrument
Coordinators:
Brazil and Costa Rica

BOARD

Dominican Republic,
Mexico, Chile
Process coordination

ECLAC

Technical Secretariat

PUBLIC

Any natural or legal person or organized community groups



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HIGHLIGHTS TO DATE

1. Convening Process: initially 10 now 17 signatory countries

2. Political Process: Reaffirms Commitment

- Declaration - Rio de Janeiro, Brazil June 2012
- Roadmap - Santiago, Chile in November 2012
- Action Plan 2013-2014 - Guadalajara, Mexico in April 2013
- Common Vision Instrument - Lima, Peru in October 2013

3. Effective Process: Main tasks agreed upon and in development

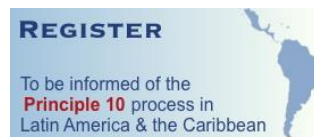
- Promoting the Declaration and incorporate new signatories to the process
- Promote and highlight the progress in the region
- Promote the active participation of civil society at the national level, and
- Move towards the establishment of a regional instrument through working groups

Three meetings of Focal Points (November 2012, April 2013, October 2013) and three working groups (online and in-person)

4. Valuated Process: International and Public Reception: CELAC and CELAC EU

5. Participatory Process: Regional Public Mechanism

Register on-line, (www.cepal.org/rio20/principio10) that allows all stakeholders in the process to receive regular information meetings and progress of the process.



6. Founded and Ambitious Process: Baseline

ECLAC document "Access to information, participation and justice in environmental matters in Latin America and the Caribbean: situation, outlook and examples of good practice (LC/L.3549/Rev.2)".



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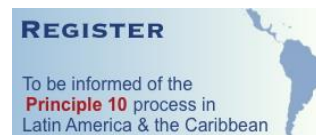
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NEXT STEPS

1. Implementation of the Plan of Action to 2014

- i. Definition of the nature and content of a Regional Mechanism
- ii. Strengthening regional and international cooperation based on needs and options for both public sector and the public
- iii. Action at the National Level

2. Government and Public Participation

- i. Substantive contribution to the regional process and action plan
- ii. Monitoring national and international commitments
- iii. Due Diligence
- iv. Partnerships and Actions