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A. PREPARATORY MEETING OF EXPERTS

**REGIONAL WORKSHOP  
on the implementation of Principle 10 of the Rio Declaration  
and the application of the Bali Guidelines for the  
development of national legislation on access to information,  
public participation, and access to justice in environmental  
matters in Latin America**



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## **PRELIMINARY REPORT\***

### **REGIONAL WORKSHOP**

**on the implementation of Principle 10 of the Rio Declaration  
and the application of the Bali Guidelines for the  
development of national legislation on access to information,  
public participation, and access to justice in environmental  
matters in Latin America**

Ministry of Foreign Affairs of the Government of Peru  
Lima, Peru, 28-29 October 2013

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## **Introduction and Background**

Strengthening effective participation of all stakeholders in environmental decision-making is an important pre-requisite of sustainable development. Principle 10 of the Rio Declaration (“Principle 10”) was adopted at the 1992 Rio Summit by Heads of State and Government for the purpose of strengthening access to information, public participation, and access to justice in environmental matters.

In February 2010, a milestone was achieved in the field of environmental law and the implementation of Principle 10 when the XI Special Session of the United Nations Environment Programme (UNEP) Governing Council/ Global Ministerial Environment Forum (GMEF), in Bali, Indonesia, unanimously adopted the Guidelines for the Development of National Legislation on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters (Bali Guidelines).

These guidelines seek to assist countries to fill possible gaps in their respective national legislation, and where relevant, in the sub-national legal instrument and regulations at the State or district level, for the purpose of facilitating broad access to information, public participation, and access to justice in environmental matters. In response to country requests for capacity-building for the application of the Bali Guidelines, UNEP and UNITAR have launched a two-year joint global capacity-building initiative, which includes a regional workshop component. The project is part of the “Access for all” Initiative approved at the 2011 *Eye on Earth* Summit, in Abu Dhabi.

This Workshop is additionally framed in a political process that began in the Latin America and Caribbean region in the framework of the 2012 United Nations Conference on Sustainable Development (Rio+20) when 10 countries, on Chile’s initiative, signed the Declaration on the Implementation of Principle 10 of the Rio Declaration on Environment and Development. In the Declaration, the signatory countries (as of October 2013): Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, and Uruguay, commit to develop an Action Plan until 2014, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC) as Technical Secretariat, to advance toward the achievement of a regional instrument on the rights of access to environmental information, participation, and justice, the three pillars contained in Principle 10 of the 1992 Rio Declaration.

In the Action Plan until 2014 adopted in Guadalajara in April 2013, the signatory countries created two groups to advance toward achieving a regional instrument: group 1 on strengthening capacities and cooperation, and group 2 on rights of access and a regional instrument. The working group on strengthening capacities and cooperation decided, together with ECLAC, as technical secretariat for the process, to promote training for the public sector and the public in general regarding the access to information, participation, and justice in environmental matters.

In view of this background, ECLAC, UNEP, UNITAR, WRI-TAI, the Government of Peru and SPDA have joined forces to support the development of Principle 10 and the application of

the Bali Guidelines in Latin America and the Caribbean. This workshop thus represented a joint effort to increase knowledge on Principle 10 among the countries in the region, the Declaration on the implementation of Principle 10 in Latin America and the Caribbean and the Bali Guidelines, and will be followed by activities aimed at assisting interested and committed countries to implement the Bali Guidelines at the national level.

A similar workshop was held in Trinidad and Tobago in September 2013, aimed specifically at the countries of the Caribbean region. The “Regional workshop on the implementation of Principle 10 in the Caribbean region” was jointly organized by ECLAC, UNEP, UNITAR, WRI-TAI and CALCA, the educational arm of the Caribbean Court of Justice.

### **Workshop Objectives**

The workshop was an opportunity for government representatives (executive and legislative branches), and Latin America and the Caribbean civil society organizations to know the Bali Guidelines and its recommendations for each one of the rights of access and the Declaration on the implementation of Principle 10 in Latin America and the Caribbean, in addition to analyzing the existing gaps and formulating proposals for its adequate implementation. All of the above generating a dialogue which, recognizing the different opinions and views, can contribute toward national decisions and/or regional consensus deemed relevant by the countries in order to advance on strengthening the rights of access.

The Workshop objectives specifically were:

- Present and discuss the Guidelines’ relevance for the formulation of national legislation on access to information, public participation, and access to justice in environmental matters (Bali Guidelines).
- Present and know the Declaration on the implementation of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean, its signatory countries, and the implementation level of its Action Plan until 2014.
- Identify key issues for the effective implementation of Principle 10 in the region such as best practices and existing gaps.
- Identify action proposals, targeted public and responsible parties to fill the existing gaps.

### **Participants**

The workshop was attended by a total of 65 participants from the government, non-government, and legislative sectors. The participants came from a total of 23 countries.

International organizations present were ECLAC, UNEP, and UNITAR. Annex 1 includes the list of workshop participants.

### **Structure and Methodology**

The workshop lasted a day and a half and was organized in two main sessions, in addition to the inauguration, an introductory panel on the implementation of Principle 10 and the Bali Guidelines in Latin America, and the closing. Annex 2 includes the workshop Programme. The workshop presentations are available on the website: [www.cepal.org/rio20/principio10](http://www.cepal.org/rio20/principio10).

The first session, called “Identifying best practices and lessons learned in the region”, consisted of three panels and working groups at the end of each one. Each panel and its respective working group addressed a right of access: information, public participation, and justice.

For each panel there was a brief presentation on the Bali Guidelines and the specific recommendations for each right by UNEP’s representative. This presentation was followed by a second one that addressed the existing gaps in the region for the adequate implementation of the right and action proposals for each one.

After each panel, six (6) working groups were formed. Each group had a facilitator (ECLAC and UNEP professional team and partners of The Access Initiative). The working group’s objective was to discuss the main gaps for better implementation of each right to later identify action proposals indicating the targeted public. Preliminary information was also gathered on best practices to exercise the rights of access.

At the end of the session, a plenary was held where the working groups on information, participation, and justice in environmental matters presented their work.

The objective of the Workshop’s second session, called Session 2: “Advancing in action and capacity-building at the national level”, was to explore opportunities for action and capacity-building to effectively implement Principle 10 at the national level, also taking into account regional synergies.

There were two presentations for this purpose; the first was by UNITAR and UNEP representatives and the second was by the representative of the Government of Colombia acting as coordinator for the Working Group on Strengthening Capacities and Cooperation of the Declaration on the implementation of Principle 10 of the Rio Declaration in Latin America and the Caribbean.

Each of the speakers informed how the results obtained in this Workshop would be taken into account for the next steps for the dissemination of the Bali Guidelines and the working group on strengthening capacities and cooperation, established in the framework of the Declaration on Principle 10 in Latin America and the Caribbean.

First, UNEP/UNITAR informed that these results would be important input to prepare training and other actions that would take care of the existing gaps and proposals formulated at the national level.

The coordinator of the group on strengthening capacities and cooperation indicated that the workshop's results would also be important input to formulate an agenda with training priorities for 2014.

### **Results Obtained**

The following tables contain a summary of the existing gaps and proposed measures to address them for each right of access, as mentioned by the participants at the workshop.

## LATIN AMERICA AND THE CARIBBEAN: ACCESS TO ENVIRONMENTAL INFORMATION

### Summary

In the framework of the *Regional Workshop on the Implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines*, held at the end of October in Lima, Peru, the working group on access to information discussed the main advances and gaps regarding the access to public environmental information in Latin America. From this discussion, the participants called attention to the need to further discuss the following themes in order to advance on the correct and thorough application of the public's right to environmental information: i) train members of the public so they have a better understanding and can better exercise their right of access to public information and the mechanisms for its protection; ii) train government officers for better elaboration, processing, and dissemination of public environmental information; iii) train government officers and the public on the use of technological tools for generation and access to the information; iv) train public entities so that they develop effective measures for the inclusion of vulnerable groups, traditionally underrepresented and excluded in the exercise of this right; v) promote the generation of instruments for the coordination, cooperation, and exchange of information among the different public entities; vi) promote the creation of laws of access to public and/or environmental information in those countries where there are no such laws, highlighting the importance of legal frameworks and procedures that clearly contemplate the causes for refusal, and mechanisms for enforcement and sanction of environmental violations; address the obligation of private entities to disclose and generate environmental information.

Table 1 further develops these comments, as follows:

TABLE 1

Detected gaps	Proposed measures to address them
Unawareness of the right of access to public information and its guarantees	<ul style="list-style-type: none"> <li>• Train members of the public for a better understanding and exercise of this right of access and the mechanisms for its protection</li> </ul>
Deficiencies in the production and dissemination of reliable information	<ul style="list-style-type: none"> <li>• Train government officers for better production, processing and dissemination of public environmental information (for example, through the formulation of Reports on the state of the Environment)</li> <li>• Capacity-building for the generation and dissemination of updated and quality sectorial information, in collaboration with academia and the civil society</li> <li>• Promote and disseminate successful experiences such as the Pollutant Release and Transfer Registers</li> </ul>
Insufficient knowledge on the use of technological tools by the government officers	<ul style="list-style-type: none"> <li>• Train in the use of technological tools to generate and disseminate information</li> </ul>
Insufficient knowledge on the use of technological tools by members of the public	<ul style="list-style-type: none"> <li>• Train members of the public on the use of technological tools that facilitate access and use of public information</li> </ul>
Technical and language complexity of the information	<ul style="list-style-type: none"> <li>• Train public entities so that they develop effective measures for the inclusion of vulnerable groups, traditionally underrepresented and excluded in the exercise of this right</li> <li>• Formulate differentiated reports with accessible language in accordance with the targeted group</li> </ul>
Ambiguity in the minimum content of the environmental information	<ul style="list-style-type: none"> <li>• Specify the minimum content and frequency of the generation and provision of environmental information</li> <li>• Address disclosure of the information in accordance with the public nature of the content and not the nature of the generating entity (private or public)</li> </ul>
Delay in the provision of the information	<ul style="list-style-type: none"> <li>• Promote opportunities for early provision of information to those affected by environmental projects. For example, through direct notification, prior to presentation of the Environmental Impact Assessment, to those affected by said project</li> </ul>



Reproduction costs	<ul style="list-style-type: none"> <li>• As a general rule maintain free reproduction costs. As an exception, and for those cases that involve payment, establish differentiated cost measures in accordance with socioeconomic capacity of the communities</li> <li>• Create assistance funds for the reproduction of information</li> </ul>
Arbitrariness in the application of causes for refusal of access to information and privacy	<ul style="list-style-type: none"> <li>• Promote legal frameworks and clear procedures that expressly contemplate the causes for refusal, enforcement and sanctions that strengthen the protection of this right</li> <li>• Promote mechanisms that offer assistance and advocacy in the exercise of API (Access to Public Information) for the citizens</li> </ul>
Fragmentation of public information and lack of coordination among public entities	<ul style="list-style-type: none"> <li>• Strengthen coordination, cooperation and information exchange among the different public entities</li> <li>• Promote mechanisms to document environmental information that integrate and coordinate the public information produced</li> </ul>
Centralization of environmental information	<ul style="list-style-type: none"> <li>• Promote disaggregation and decentralization of environmental information at the sub-national and local levels</li> </ul>
Absence of a Law of Access to Public and/or Environmental Information	<ul style="list-style-type: none"> <li>• Promote the creation of laws of access to public and/or environmental information in those countries where there are still no such laws.</li> </ul>
Lack of autonomous entities to oversee the of the rights of access to public information	<ul style="list-style-type: none"> <li>• Advance in the establishment of autonomous and independent entities that guarantee and oversee compliance and exercise of the rights of access to public information</li> </ul>
Difficulty in the access to environmental information generated by private entities with public influence	<ul style="list-style-type: none"> <li>• Promote the disclosure of environmental information generated by private entities through legal and/or institutional frameworks</li> </ul>
Absence of regulations regarding the minimum publication content on the products for sale on the market	<ul style="list-style-type: none"> <li>• Promote regulation of the publication of environmentally relevant information on products for sale on the market that are important to the consumers</li> </ul>

**Source:** Summary formulated from the discussions of the working groups on Access to Information in the *Regional Workshop on the implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines in Latin America*, 28-29 October, 2013, Peru.

## LATIN AMERICA AND THE CARIBBEAN: ACCESS TO PUBLIC PARTICIPATION IN ENVIRONMENTAL MATTERS

### Summary

In the framework of the *Regional workshop on the implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines*, held at the end of October 2013, in Lima, Peru, the working group on public participation discussed the main advances and gaps in regard to access to public participation (RPP) in environmental matters in Latin America. From this discussion, the participants called attention to the need to further discuss the following themes to advance on the correct and thorough application of the public's right to participate in environmental decision-making: i) train the public so citizens have a better understanding and can better exercise the RPP and the specific entities for its exercise; ii) create awareness among the region's government officers on the link between sustainable development, the right to information, and public participation, by sharing methodologies and best practices regarding this matter; iii) train officers on the adequate use of the guides and protocols that aim to overcome the current deficiencies in the consultation processes, the use of differentiated participation methodologies for communities in vulnerable situations, and the adequate implementation of international and regional agreements on the matter, iv) elaborate property registries of existing participation instances in each country and systematize experiences at the national level on consultation processes related to policies, plans and programmes.

Table 2 further discusses these comments, as follows:

**TABLE 2**

Detected gaps	Proposed measures to address them
General lack of knowledge about RPP and the specific entities for its exercise.	<ul style="list-style-type: none"> <li>• Promote inclusion of the concept of sustainable development and its link with the right of access in the formal education systems</li> <li>• Train members of the public on the exercise of their right to participation and on knowing the existing public participation entities in their country for environmental decision-making</li> </ul>
Lack of explicit frameworks for effectively taking into account the public's observations in decision-making	<ul style="list-style-type: none"> <li>• Advance in knowing who the environmental authorities and decision makers are regarding the link between sustainable development and the right to information and public participation by informing about the main challenges regarding that matter</li> <li>• Transparency in the way that the public's observations are taken into account and establish legal and/or administrative mechanisms for their effective consideration</li> <li>• Share protocols and best practices on the subject</li> </ul>
Late consultation processes that do not clearly explain the criteria for taking into account the public's observations and have a short implementation period	<ul style="list-style-type: none"> <li>• Elaborate instruments (protocols, guides, manuals, criteria, other) that establish clear procedures to carry out consultation processes</li> <li>• Train officials in charge of the different participation entities on the use of these instruments</li> </ul>
Participation barriers for communities in vulnerable situations, such as transportation expenses, daycare for children or the elderly, language, and access to places where meetings are held	<ul style="list-style-type: none"> <li>• Design and implement differentiated participation processes for communities in vulnerable situations that take into account their uses and customs, gender approach, and that aim to overcome the participation barriers</li> <li>• Train officials in charge of these processes on the implementation of these differentiated methodologies</li> </ul>
Technical complexity of the information provided	<ul style="list-style-type: none"> <li>• Provide support so that communities can understand the information that is being provided and can participate in an informed manner</li> </ul>
Lack of opportunities for participation in the design in policies, plans and programmes	<ul style="list-style-type: none"> <li>• Systematize existing experiences and procedures in the region and other regions</li> <li>• Organize regional training workshops on existing experiences and procedures in the region</li> </ul>

**Source:** Summary elaborated from the discussions of the working groups on access to public participation in environmental matters at the *Regional workshop on the implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines in Latin America*, October 28 and 29, 2013, Peru

## **LATIN AMERICA AND THE CARIBBEAN: ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS**

### **Summary**

In the framework of the Regional workshop on the implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines, held at the end of October 2013 in Lima, Peru, the working group on access to justice discussed the main advances and gaps regarding access to justice in environmental matters in Latin America. From this discussion, the participants called attention to the need to further discuss the following themes to advance on the correct and thorough application of this pillar of Principle 10 of the 1992 Rio Declaration: i) Promote periodic training for judges and legal officials on the resolution of environmental matters, taking into account the constant and rapid evolution of environmental law; ii) train members of the public on the knowledge, use, and exercise of their right of access to environmental justice; iii) promote initiatives to insure that vulnerable groups have access to justice in environmental matters; iv) disclose and publish relevant environmental decisions; vi) recognize and foster alternative conflict resolution methods for environmental problems.

Table 3 further discusses these comments, as follows:

**TABLE 3**

<b>Detected gaps</b>	<b>Proposed measures to address them</b>
Lack of expertise in jurisdictional entities on environmental matters	<ul style="list-style-type: none"> <li>• Promote training of judges and legal officials on the resolution of environmental matters, taking into account the constant and rapid evolution of environmental law</li> <li>• Promote inclusion of environmental law as a mandatory course in the curriculum for obtaining a law degree</li> <li>• Support the specialization of judges and officials through Master and PhD degrees</li> </ul>
Unawareness on the part of members of the public regarding their right of access to environmental justice	<ul style="list-style-type: none"> <li>• Train members of the public on the knowledge, use, and exercise of their right of access to environmental justice</li> </ul>
High lawyer legal fees	<ul style="list-style-type: none"> <li>• Promote free legal assistance systems to support those who cannot afford it and with adequate spatial distribution</li> <li>• Disseminate best practices on the matter in the region so that they can be replicated in other countries</li> </ul>
High cost of legal action	<ul style="list-style-type: none"> <li>• Consider shorter and more expeditious procedures</li> <li>• Promote procedural economy</li> <li>• Establish proof and expertise measures paid by the State</li> </ul>
Technical complexity of the processes	<ul style="list-style-type: none"> <li>• Implement free legal assistance systems to support the public</li> <li>• Include technical consultancy, by presenting scientific documents and/or filing amicus curiae</li> </ul>
Lack of publicity of the action and consequent environmental jurisprudence	<ul style="list-style-type: none"> <li>• Advance in the creation of digital platforms that allow disclosing and publicizing relevant environmental decisions</li> </ul>
Deficiencies in the presentation, processing, and disclosure of environmental offenses	<ul style="list-style-type: none"> <li>• Greater dissemination of complaints about environmental offenses and sanctions</li> </ul>

Discrimination of traditionally excluded and underrepresented groups	<ul style="list-style-type: none"> <li>• Develop integration measures that allow recognizing the socio-cultural and linguistic diversity of the parties in the legal process</li> <li>• Insure greater guarantees and safeguards for their participation and representation within the legal processes</li> </ul>
Weak coordination among decision makers	<ul style="list-style-type: none"> <li>• Advance in the creation of mechanisms for expeditious information exchange among judges, prosecutors, and involved parties</li> </ul>
Weak presence of alternative conflict resolution mechanisms	<ul style="list-style-type: none"> <li>• Recognize, regulate, and foster alternative conflict resolution methods for environmental problems</li> </ul>
Limitations in the type of person (natural, legal, directly affected) who can initiate legal action	<ul style="list-style-type: none"> <li>• Broaden or modify the requirements of entitlement of those with legal standing in environmental matters</li> <li>• Recognize the presence of diffuse and collective environmental interests in the jurisdictional processes</li> </ul>
Difficulties in persecuting environmental offenses	<ul style="list-style-type: none"> <li>• Create units specialized in environmental offenses</li> </ul>
Slow processes in cases of refusal of access to information and participation	<ul style="list-style-type: none"> <li>• Implement quick and agile mechanisms to access justice when there is a refusal of access to information and participation</li> <li>• Establish the writ of Habeas Data to complain about the refusal of rights to access in those countries that don't have it</li> </ul>
Weak citizen capacity to stop activities that hurt the environment and health	<ul style="list-style-type: none"> <li>• Strengthen an expeditious, exceptional injunction for those countries that do not contemplate it under said terms</li> </ul>

**Source:** Summary elaborated from the discussions of the working groups on access to justice in environmental matters at the *Regional workshop on the implementation of Principle 10 of the Rio Declaration and the application of the Bali Guidelines in Latin America*, 28-29 October, 2013, Peru

## ANNEX 1

### LIST OF PARTICIPANTS

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ANNEX 2  
WORKSHOP PROGRAMME



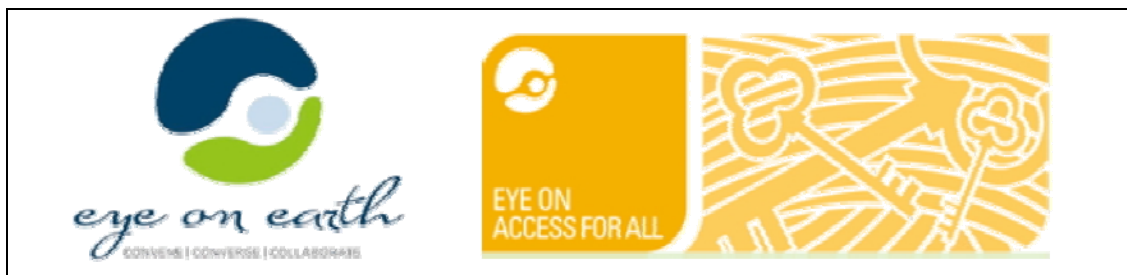
WORLD  
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The  
**Access**  
Initiative

**Regional workshop on the implementation of Principle 10 of the Rio Declaration and application of the *Bali Guidelines for development of national legislation on access to information, public participation and access to justice in environmental matters* in Latin America**

Ministry of Foreign Affairs, Lima, Peru  
28-29 October 2013  
Preliminary Programme

**This Workshop is part of the Eye on Earth “Access for all” Special Initiative**



## Background

Strengthening effective participation of all stakeholders interested in environmental decision-making is an important prerequisite of sustainable development. Principle 10 of the Rio Declaration ("Principle 10") was adopted in the 1992 Rio Summit by the Heads of State and Government for the purpose of strengthening access to information, public participation, and access to justice in environmental matters.

In February 2010, a milestone was achieved in the field of environmental law and the implementation of Principle 10 when the XI Special Session of the UNEP Governing Council/Global Ministerial Environment Forum (GMEF), in Bali, Indonesia, unanimously adopted the Guidelines for the Development of National Legislation on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters (Bali Guidelines). These guidelines seek to assist countries to fill possible gaps in their respective national legislation, and where relevant, in the sub-national legal norms and regulations at the State or district level, for the purpose of facilitating broad access to information, public participation, and access to justice in environmental matters. In response to country requests for capacity-building for the application of the Bali Guidelines, UNEP and UNITAR have launched a two-year joint global capacity-building initiative, which includes a regional workshop component. The project is part of the "Access for all" Initiative approved at the 2011 *Eye on Earth* Summit, in Abu Dhabi.

In the preparations and during the 2012 United Nations Conference on Sustainable Development (Rio+20), governments and stakeholders pointed out the need to adopt global, regional, and national measures to enhance implementation of Principle 10. As a result, the Declaration on the implementation of Principle 10 of the Rio Declaration on the Environment and Sustainable Development in Latin America and the Caribbean was signed. In the Declaration, the signatory countries: Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Trinidad and Tobago, and Uruguay, committed to develop an Action Plan until 2014, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC), as Technical Secretariat, to advance the achievement of a regional instrument on the rights of access to environmental information, participation, and environmental justice, enshrined in Principle 10 of the Rio Declaration.

In view of this background, UNEP, UNITAR, ECLAC, and others have joined forces to support the development of Principle 10 and the application of the Bali Guidelines in Latin America and the Caribbean. This workshop represents a joint effort to raise awareness among countries in the region on Principle 10, the Declaration on the implementation of Principle 10 in Latin America and the Caribbean and the Bali Guidelines, and will be followed by activities aimed at assisting interested and committed countries to implement the Bali Guidelines at the national level.

The workshop will be an opportunity for the representatives of the Latin American countries to examine the progress regarding public participation, access to information, and access to justice in Latin America.

The workshop is targeted for government and non-government stakeholders.

Workshop objectives:

- Take stock and identify key issues for the effective implementation of Principle 10 in the region;
- Present and discuss the relevance of the Guidelines for the formulation of national legislation on access to information, public participation, and access to justice in environmental matters (Bali Guidelines) and the Declaration on the implementation of Principle 10 in Latin America and the Caribbean;
- Openly exchange best practices and lessons learned in the three pillars of Principle 10 (public participation, access to information, and access to justice);
- Identify opportunities for action, capacity-building, and networking;
- Identify country needs for the application of the Bali Guidelines.

At the end of the Workshop, the participants will be able to:

- Cite best practices for the implementation of Principle 10 in the region;
- Analyze the main provisions of the Bali Guidelines and their relevance for national legislation;
- Initiate actions and support follow-up at the national level;
- Effectively participate in international and regional processes related to the correct and thorough implementation of Principle 10;
- Know the national capacity-building needs for the effective application of the Bali Guidelines. This information will be key input for the Working Group on Strengthening Capacities and Cooperation established in the Action Plan until 2014 of the Declaration on the implementation of Principle 10 in Latin America and the Caribbean.

## **DAY 1**

**8.30h – 9.00h: Participant Registration**

**9.00h – 9.20h: Welcoming Remarks and Workshop Inauguration**

- Ambassador Fernando Rojas Samanez, Vice Minister of Foreign Affairs of Peru
- Mariano Castro Sánchez-Moreno, Vice Minister of Environmental Management of the Ministry of the Environment of Peru
- Fatou Ndoye, Major Groups Branch, Division for Regional Cooperation, United Nations Environment Programme - UNEP (representing UNEP and UNITAR)
- Carlos de Miguel, Chief of Policies for Sustainable Development Unit, Sustainable Development and Human Settlements Division, Economic Commission for Latin America and the Caribbean
- Isabel Calle, Peruvian Society for Environmental Law

**9.20h – 9.40h: Workshop Objectives and Methodology and Introduction of Participants**

- Achim Halpaap, Associate Director, Training Department, Chief of the Environmental Unit, UNITAR

**9.40h – 10.40h: Implementation of Principle 10 and the Bali Guidelines in Latin America: International context**

- Stephen Stec (UNEP): Bali Guidelines for the Development of national legislation on access to information, public participation and access to justice in environmental matters
- Constance Nalegach (Focal Point of Chile, President of the Board of Directors of the Declaration on Principle 10): Declaration on the implementation of Principle 10 of the Rio Declaration on the Environment and Development in Latin America and the Caribbean
- Questions and answers

**10.40h – 11.00h: Coffee Break**



## **Session 1: Identifying best practices and lessons learned in the region**

*Objective: Show examples for the three pillars of Principle 10 - information, participation, and justice - and identify best practices and implementation challenges in the region's countries, and present the legal aspects of the Bali Guidelines*

### **11.00h – 13.00: Theme 1: Access to information**

- Brief introduction of the relevant provisions of the Bali Guidelines and the Handbook for its implementation (Andrea Brusco)
- Access to environmental information in Latin America (Tomás Severino, Ecological Culture, Mexico)
- Guided Working Groups that will discuss the following (Working groups facilitators: Guillermo Acuña, Carlos de Miguel and Valeria Torres from ECLAC; Andrea Brusco from UNEP and Carolina Neme and Daniel Barragán):
  - How can the provisions in the Bali Guidelines regarding Access to Information be used to improve relevant national frameworks and sectorial regulations (for example, on forests, fisheries and mining) in your country?
  - What type of follow-up activities would be necessary in your country to promote use of the Guidelines by the government and the civil society? Are there exchange opportunities among the countries to learn about the guidelines' implementation?

### **13.00h – 14.00h: Lunch Break**

### **14.00h – 16.00h Theme 2: Public Participation**

- Brief introduction of the relevant provisions of the Bali Guidelines (Andrea Brusco)
- Public participation in environmental matters in Latin America (Isabel Calle, Peruvian Society for Environmental Law, Peru)
- Guided Working Groups that will discuss the following (Working groups' facilitators: Carlos de Miguel and Valeria Torres from ECLAC, Andrea Brusco from UNEP, and Cecilia Olivares, Patricia Madrigal and Olimpia Castillo):
  - How can the provisions of the Bali Guidelines regarding public participation be used to improve relevant national frameworks or sectorial regulations (for example, regarding forests, fisheries and mining) in your country?
  - What type of follow-up activities would be necessary in your country to promote the use of the Bali Guidelines by the government and the civil society? Are there exchange opportunities among the countries to learn about the guidelines' implementation?

### **16.00h – 18.00h: Theme 3: Access to Justice**

- Brief introduction of the relevant provisions of the Bali Guidelines and the Declaration Rio + 20 on Justice, Governance and Law for Environmental Sustainability (Andrea Brusco, UNEP)
- Access to justice in environmental matters in Latin America (Silvana Terzi, Prosecretary, Supreme Court of Justice, Argentina)
- Guided Working Groups that will discuss the following ( Working groups' facilitators: Carlos de Miguel and Valeria Torres from ECLAC, Andrea Brusco from UNEP, Luisa Arauz, Gabriela Burdiles and Allison Galindo):
  - How can the provisions of the Bali Guidelines regarding Access to Justice be used to improve relevant national frameworks or sectorial regulations (for example, on forests, fisheries and mining) in your country?
  - What type of follow-up activities would be necessary in your country to promote use of the Guidelines by the government and the civil society? Are there exchange opportunities among countries to learn about the guidelines' implementation?

## DAY 2

### Session 1 (cont.)

#### 8.30h – 10h: Report of the working groups in Plenary

- 20 minute presentation by the rapporteur for each theme followed by the participation of participants

### Session 2: Advancing on actions and capacity-building at the national level

*Objective: Explore opportunities for action and national capacity-building to effectively implement Principle 10 at the national level, also taking into account regional synergies.*

#### 10.00h – 11.00: National implementation of the Bali Guidelines: Support opportunities for capacity-building

- Achim Halpaap/UNITAR and Fatou Ndoye/UNEP
- María Angélica García, Second Secretary of Foreign Affairs, Ministry of Foreign Affairs of Colombia and coordinator of Working Group on Strengthening Capacities and Cooperation of the Declaration on Principle 10 in Latin America and the Caribbean
- Questions and answers

### Session 3: Conclusions and follow-up actions

**11.00h – 11.30h:      Review of the main outcomes of the workshop debates and identification of recommendations for follow-up / Workshop Closing**

- Open debate in plenary
- Evaluation
- Closing

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The United Nations Environment Programme's mission is to provide leadership and encourage partnership in caring for the environment, inspiring, informing and enabling nations and peoples to improve their quality of life without compromising that of future generations.

The regional office for Latin America and the Caribbean (ROLAC), located in Panama City works very closely with the 33 countries in the region - among them 16 developing small island States - with a population of almost 588 million people. The office works to serve the region's needs and its activities integrate into the work programmes approved by the UNEP Governing Council.



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The Economic Commission for Latin America and the Caribbean (ECLAC) is one of the five regional commissions of the United Nations and its headquarters are in Santiago de Chile. It was founded to contribute toward the economic development of Latin America and the Caribbean, coordinate actions aimed at promoting it, and reinforce economic relations among the countries themselves and the other nations in the world.

It has two sub regional headquarters, one for the sub region of Central America, located in Mexico, D.F. and the other for the sub region of the Caribbean, in Port of Spain, which were established in June 1951 and December 1966, respectively. Additionally, it has national offices in Buenos Aires, Brasilia, Montevideo and Bogota and a liaison office in Washington, D.C.



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