I want to thank ECLAC and the Government of Uruguay for organising this meeting and the signatory countries for allowing the Elected Representatives of the Public this opportunity to make opening remarks.

I am grateful for and support the remarks by my colleague Alberto Gomez and would like to use this opportunity to share thoughts on why this process is so important for the sustainable development of our countries.

The UNDP’s Caribbean Human Development Report 2012 notes: “Caribbean countries have a long history of inequality and discrimination.....This historical pattern still affects the distribution of the protective power of the state and the way in which the rights of different groups, including the most vulnerable, are treated.” Further “the legacy of deep social problems such as high levels of income inequality, high rates of unemployment, high rates of rural and urban poverty, and communities with histories of social exclusion has continued to exert an influence until today.”

This regional process holds the promise to set standards for access rights that live up to the expectations of the first-ever environmental democracy agreement for the region. The number of LAC countries that have signed the Declaration now stands at 20 countries and is growing.

We start this second phase of negotiation after the passage of the Sustainable Development Goals (SDGs) and a new climate change agreement, both of which are almost entirely reliant on improving transparency, building more robust environmental information systems and improving the participation of the public to ensure a more responsive and inclusive institutions.¹

Having a binding instrument on access rights will allow the region to advance the implementation of the Post-2015 Agenda. The SDGs specifically incorporates Principle 10 and the targets that have been determined include to:

• Promote the rule of law at the national and international levels and ensure equal access to justice for all.
• Develop effective, accountable and transparent institutions at all levels.

• Ensure responsive, inclusive, participatory and representative decision-making at all levels.
• Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
• Promote and enforce non-discriminatory laws and policies for sustainable development.

In this process there has been trust and understanding built between governments and civil society. I have seen these productive relationships created, nurtured and developed since the beginning of this process with the road map and Lima Vision where countries expressed a common vision on the importance and benefits of access rights and the values and principles underpinning them and their implementation. We hope as we move forward to adopt the modalities and continue negotiations that we can build on this trust as we continue to progressively seek to improve implementation of access rights in the region.

The preliminary document for this Agreement as prepared by ECLAC is an opportunity to establish a regional standard that incorporates the best legislation in the region in the area of access rights. As we learned during the workshop yesterday on public participation, some countries have legislation on access rights that are well developed and comprehensive with some such as Colombia recently passing ATI and PP laws while in others legislation is lagging behind. We note that while the majority of countries are supportive of striving for this regional standard, there a few who have proposed language that would limit the application of some articles to what currently exists in their national legislation. We think that to do so would not be progressive and would in a sense defeat the purpose of striving towards a regional agreement with regional standards. We should as one speaker said today not strive for a minimum but strive for the essentials in this agreement. We believe that limitations and restraints to country implementation can be dealt with through cooperation and capacity-building partnerships and mechanisms as contemplated by Article 10.

I would like to say one thing about the potential of this instrument to address an issue that has caused much concern not only in the region but also globally. Vulnerable groups, above all others require special consideration in delivering appropriate mechanisms that facilitate their involvement in decision-making. The preliminary document includes provisions to ensure access rights and protection for those who are most vulnerable, such as indigenous people and environmental defenders.

A number of socio-environmental conflicts have been documented in the region. These conflicts undermine the social peace and good governance. Conflicts can arise from lack of information or complete, timely, understandable and culturally relevant information and from the lack of open forums for dialogue, and spaces for participation about infrastructure projects. The case of Berta Caceres, a Honduran human rights and environmental defender who fought tirelessly for the rights of Honduras’s Indigenous Peoples, including opposing the Agua Zarca Dam, and received
death threats and lost her life in March of this year is one example of a tragic and senseless case. Cáceres famously said “Nobody heard our voices until we set up a roadblock to defend our territory.” This initiative could pave the way for achieving a regional standard for access rights that will mitigate social conflicts like this one by channelling public concerns about environmental issues through a framework that promotes good governance.

It is now imperative that we use the opportunity presented by this process to ensure that environmental defenders can be free to play their role in advancing the rights of citizens in our region. I would like us to have a moment of silence to recognise her life, her work and her contribution to this world.

[silence]

The progressive path embarked upon by these countries carries the collective hopes and dreams for environmental and social progress in the region. The public stands ready to support and collaborate positively with the representatives of government in this process. And because I always want to leave you with something special when I have the opportunity to speak on these occasions, here is a quote from one of Jamaica’s famous musicians – not Bob Marley but he was a singer in Bob Marley’s earlier band – the Wailers. This is from Peter Tosh’s song Equal Rights.

Everyone is crying out for peace, yes
None is crying out for justice
I need equal rights and justice
I need equal rights and justice
I need equal rights and justice

The message - Without equal rights and justice how can we expect peace.

Thank you.