



WORLD CONGRESS ON JUSTICE, GOVERNANCE AND LAW FOR ENVIRONMENTAL SUSTAINABILITY

► 17 -20 June 2012
Rio de Janeiro, **Brazil**



Co-hosted by:

Associação dos Magistrados do Estado do Rio de Janeiro



Fundação Getulio Vargas



PROJETOS
ESCOLA DE
DIREITO GV

Ministério Público do Estado do Rio de Janeiro



In partnership with:



INTOSAI
Working Group
on Environmental
Auditing



Organization of
American States



BACKGROUND:

Despite many international conferences and important developments in environmental policy, law and governance, only insufficient progress has been made towards achieving many of the internationally agreed environmental goals, targets and objectives. Indeed, in implementing environmental law, including Multilateral Environmental Agreements, States have encountered many challenges in their quest for sustainable development and in improving the overall state of the global environment.

The effective implementation of environmental laws requires the informed participation of key decision-makers to not only shape the interpretation and enforcement of these instruments within their jurisdictions, but also to develop institutional frameworks and regulations focusing on environmental governance and accountability issues as well as the role of law in protecting natural resources and promoting sustainable development.

OBJECTIVES AND EXPECTED OUTCOMES:

Due to their pivotal roles in developing, interpreting and enforcing environmental laws as well as in designing and building governance frameworks to regulate and monitor environmental protection, UNEP, supported by several important partners, has targeted the corpus of environmental law and governance decision-makers as part of a concerted effort to improve the effective national implementation of environmental commitments, including MEAs. Rio+20 is a critical opportunity to obtain strong commitments from these stakeholders in the pursuit of the goals of sustainable development.

Based on the successful *Global Judges Symposium on Sustainable Development and the Role of Law* that was convened by UNEP on the eve of the World Summit on Sustainable Development (WSSD) in Johannesburg in 2002, the *World Congress on Justice, Governance and Law for Environmental Sustainability (the World Congress)* will bring together Attorneys-General, Chief Prosecutors, Auditors-General, Chief Justices and Senior Judges and other legal practitioners from around the world to contribute to the outcomes of the Rio+20 United Nations Conference on Sustainable Development and to share its findings and recommendations with the Conference.

The overall aim of the World Congress is to foster a common vision and principles among key stakeholders on how to transform discussions into action and how to use justice, law and governance to promote sustainable development through the outcomes of Rio +20 and beyond. Thus, the World Congress will directly contribute to the Rio+20 Conference by focusing on the legal underpinnings of the themes of the 'Institutional Framework for Sustainable Development' and 'Green Economy in the context of sustainable development and poverty eradication'. It will outline the future actions required by national and international legal stakeholders to promote sustainable development in the 21st century founded on the rule of law and effective governance.

The World Congress on Justice, Governance and Law for Environmental Sustainability is expected to:

1. Promoting the further evolution of international and national environmental law, including the fundamental principles underpinning them as well as their effective implementation and enforcement;
2. Promoting effective national and international environmental governance;
3. Strengthening the nexus between social justice and environmental sustainability;
4. Providing a global platform that institutionalizes the engagement and cooperation of key players at a national level including judges, prosecutors, auditors as well as parliamentarians with the support of intergovernmental institutions and processes.

STRENGTHENING ENVIRONMENTAL LAW BEYOND RIO+20:

Based on the expected outcomes, the World Congress is intended to lead to the formulation and presentation of an outcome document that will take the form of a Statement of Principles on Justice, Governance and Law for Environmental Sustainability. The outcome document will be presented to the President of Rio+20 and to the Heads of State and other high level representatives at the Rio+20 Conference by the Chair of the World Congress. Beyond Rio+20, the long-term objective of the World Congress is to become an important platform in strengthening environmental laws and governance frameworks for the future national implementation of environmental law and policy through the involvement of, and in consultation with, Congress participants and other key stakeholders.

TARGET AUDIENCE:

- ▶ Judges (specifically Chief Justices and senior judges);
- ▶ Attorneys-General and Public Prosecutors;
- ▶ Auditors-General (Supreme Audit Institutions); and
- ▶ Ministers of Environment and Justice.

We further welcome the participation of the following stakeholders:

- ▶ Chief compliance and enforcement officers (such as government environmental authorities);
- ▶ Legislators (particularly parliamentarians); and
- ▶ Environmental Lawyers.

PREPARATORY PROCESS:

Two Preparatory Meetings are scheduled for the World Congress to initiate discussions on the themes of justice, governance and law in preparation towards formulating an outcome document for the World Congress.

- Kuala Lumpur, Malaysia, 12 and 13 October 2011
- Buenos Aires, Argentina, 23 and 24 April 2012

The World Congress is supported by an Executive Steering Committee as well as a High Level International Advisory Committee to provide advice, guidance and support in the preparations for the World Congress.

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- Ministério Público do Estado do Rio de Janeiro

LIST OF PARTNERS:

- Asian Development Bank (ADB)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- International Criminal Police Organization (Interpol)
- International Organization of Supreme Audit Institutions – Working Group on Environmental Auditing (INTOSAI - WGEA)
- Organization of American States (OAS)
- South Pacific Regional Environment Program (SPREP)
- World Bank
- International Network for Environmental Compliance and Enforcement (INECE)
- International Union for the Conservation of Nature (IUCN)

It is understood that the Partners are not expected to promote any principles or positions that may be developed as part of the World Congress beyond what is set forth in their institutional mandates and policies.



FIRST PREPARATORY MEETING OF THE WORLD CONGRESS ON JUSTICE, GOVERNANCE AND LAW FOR ENVIRONMENTAL SUSTAINABILITY

Venue: Kuala Lumpur, Malaysia

Objective: To initiate discussions on the themes of justice, governance and law in preparation towards and outcome document of the World Congress for submission to the Rio+20 Conference.



SECOND PREPARATORY MEETING OF THE WORLD CONGRESS ON JUSTICE, GOVERNANCE AND LAW FOR ENVIRONMENTAL SUSTAINABILITY

Venue: Buenos Aires, Argentina

Objective: To further advance discussions on the themes of justice, governance and law for environmental sustainability in preparation for the outcome document of the World Congress for submission to the Rio+20 Conference.

12 - 13 OCTOBER 2011

23 – 24 APRIL 2012

The World Congress will focus on the role that law, justice and governance and the inter-linkages among them play for the pursuit of sustainable development.

The discussions, to be held both in plenary and in roundtables, will center around the legal underpinnings of the two themes of the Rio+20 Conference: (a) a green economy in the context of sustainable development and poverty eradication; and (b) the institutional framework for sustainable development. They are expected to provide the basis for recommended action for the *World Congress on Justice, Governance and Law for Environmental Sustainability*.

Against this background, the three main topics of the World Congress will be:

- The future of environmental law: opportunities and emerging issues.
- Social justice and environmental sustainability: new approaches.

- The challenges of environmental governance at national regional and global levels: improving effectiveness.

Participants will have a unique opportunity to deliberate on the role and inter-linkages of justice, law and governance as essential dimensions of environmental sustainability, as well as on environmental sustainability as an integral component of justice, law and governance for sustainable development. Participants will also be called to reflect upon and share experiences regarding their specific role as leading representatives of fundamental legal and policy functions at the national level in influencing appropriate mechanisms and tools to safeguard and promote environmental sustainability. This includes acknowledging the crucial part they play in promoting and championing the governance changes required at national, regional and global levels in order to contribute towards a more effective implementation of environmental law and thus environmentally sustainable world overall.

1. THE FUTURE OF ENVIRONMENTAL LAW: EMERGING ISSUES AND OPPORTUNITIES.

Though significant developments have taken place world-wide since the Rio Conference in 1992 to strengthen environmental policy, law and governance, these have not resulted in making commensurate advances towards improving the global environment or realizing environmental sustainability and sustainable development. The rapid depletion of the Earth's natural resources beyond its carrying capacity and the exacerbating challenges of climate change, biodiversity loss, degradation of land surfaces and deterioration of the oceans seems today greater than ever.

Against this backdrop, participants in the World Congress will deliberate on new approaches and opportunities for environmental law to address these challenges. The concept of Green Economy, which is one of the main themes to be dealt with at the Rio+20 Summit, is underpinned by notions of



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Rio de Janeiro, Brazil

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Beyond Rio+20, the long-term objective of the World Congress is to become an important platform in strengthening environmental laws and governance frameworks for the future national implementation of environmental law and policy through the involvement of, and in consultation with, Congress participants and other key stakeholders.

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BEYOND RIO +20

social justice, equity and sustainability and is likely to be a principal plank of global efforts towards sustainable development in the coming decades. The World Congress will have an opportunity to focus on the role of environmental law in promoting the goals of a Green Economy. Other issues to be discussed may include among others the conservation and sustainable use of natural resources in the global commons such as the High Seas and combating transnational environmental crime and other illegal activities with transboundary effects.

2. SOCIAL JUSTICE AND ENVIRONMENTAL SUSTAINABILITY: NEW APPROACHES

The World Congress will discuss new approaches to further strengthening the operational linkages between social justice, equity, environment and development in the further development and implementation of international and national environmental law. New approaches might include: more

effective tools to ensure access to information, public participation and access to justice, both on national as well as on international level; the relationship between human rights law and environmental law in the wider context of sustainable development; the environmental law dimensions of advancing human well-being through effective ecosystem management; and the legal dimensions of accounting for natural capital in the context of a green economy.

3. THE CHALLENGES OF ENVIRONMENTAL GOVERNANCE AT NATIONAL, REGIONAL AND GLOBAL LEVELS: IMPROVING EFFECTIVENESS

Environmental governance has already improved significantly since the first Rio Earth Summit. However, the spreading of responsibilities over the environment among many institutions at national and international levels has led to fragmentation of environmental governance and weakening the implementation of environmental law

and policy. The World Congress will be invited to deliberate on ways to overcome this fragmentation and to ensure a stronger and more coherent environmental governance. This may require reflections on adequate tools, strategies and institutional reforms to promote integrated decision making at the national and international levels, the more effective implementation of multilateral environmental agreements and national environmental regulations and institutional cohesion in the pursuit of the goals of sustainable development. Among the measures that are likely to be discussed are the institutional and legal underpinnings of effective and participatory decision-making mechanisms, the role of courts and the evolving environmental jurisprudence, the requirement for effective and implementable laws and targeted capacity building of a wide range of relevant stakeholders and stronger arrangements at the global level to look after the environmental dimension of sustainable development.

MEMBERS OF THE HIGH LEVEL INTERNATIONAL ADVISORY COMMITTEE



Mr. Zakri Bin Abdul Hamid

Co-chair

Professor USM Chancellery Chair – Science and Sustainable Development Science Advisor to Prime Minister of Malaysia



Mr. Gary Sampson

Co-chair

Professor John Gough Chair in the Practice of International Trade, Melbourne Business School Former Senior Counselor, World Trade Organization (WTO)

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General Counsel, United States Environmental Protection Agency



Mr. Alan Boyle

Professor Public International Law, School of Law, University of Edinburgh



Mr. Cletus Springer

Director, Department of Sustainable Development, Organization of American States

Mr. James Cameron

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Mr. Shinya Murase

Professor, Jochi (Sophia) University Faculty of Law, Japan and Member of the UN International Law Commission



Mr. Hans Corell

Ambassador

Former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations



Ms. Julia Marton-Lefevre

Director-General, International Union for Conservation of Nature

Mr. Simon Upton

Director, Environment Directorate, Organisation for Economic Cooperation and Development and former Parliamentarian and Minister in New Zealand



MEMBERS OF THE STEERING COMMITTEE



Mr. Antonio Herman Benjamin

Justice at the High Court of Justice of Brazil



Mr. Adel Omar Sherif

Deputy Chief Justice of Egypt

Mrs. Sheila Abed

Director, IDEA and Chair of the IUCN Commission on Environmental Law



Mr. Bakary Kante

Director, Division of Environmental Law and Conventions, UNEP



Mr. Lal Kurukulasuriya

Director-General, CERTI



Mr. Bradnee Chambers

Chief of Environmental Law and Governance Branch, DELC, UNEP

Mr. John Scanlon

Secretary-General, Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)



UNEP SECRETARIAT

A dedicated number of UNEP staff is seconded to support the overall conceptual, technical and logistical preparations towards the World Congress.

Nominations¹ to attend the World Congress should be submitted to the UNEP Secretariat, as indicated below, by 16 April 2012

United Nations Environment Programme, Division of Environmental Law & Conventions,
P.O. Box 30552, Nairobi, Kenya
e-mail: World.Congress@unep.org

¹ Limited financial support is available for participants from developing countries and countries with economies in transition in line with the prevailing rules and regulations of the United Nations.

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Design and Layout: Gideon G. Mureithi/UNON

Printing: UNON, Publishing Services Section, Nairobi, ISO 14001:2004-certified.