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LAW DIVISION

Report of
Achievements

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Introduction

The law division is the lead division charged with carrying out the functions of UN Environment that involve the development and facilitation of international environmental law, governance and policy. To fulfil its mandate, the law division work focuses on:

- **National environmental law**

Laws designed to prevent and minimise different forms of pollution and prevent the exploitation of natural resources are the backbone of sound environmental governance. No form of sustainable development is possible without well designed environmental laws.

We work with governments and organizations to:

- ✓ Design model laws for replication and application by states
- ✓ Build the capacity of judges to make more informed rulings on cases of an environmental nature
- ✓ Produce guidebooks for legislators on the design of environmental laws
- ✓ Promote access to information and justice through Principle 10 and the Bali Guidelines
- ✓ Improve cooperation between law makers the world over working on our behalf to safeguard the environment
- ✓ Set standards for legislators to meet

- **Environmental Treaties**

International environmental treaties set benchmarks and standards for states to meet their obligations to their citizens and to neighbouring states, and through them technical and legal support can be provided to support implementation of environmental policies.

We work with governments to:

- ✓ Strengthen the implementation, negotiation and reporting capacities of national focal points for biodiversity, chemicals and wastes, and climate conventions
- ✓ Provide support to countries for the coherent planning and implementation of the biodiversity, chemicals and waste, and climate conventions

- **Strong Institutions**

Through strong institutions environmental laws can be enforced and more effective management of natural resources assured through the provision of environmental services, gender equity and risk mitigation.

We work with governments and organisations to:

- ✓ Strengthen and streamline institutional arrangements and capacities for tackling environmental issues
- ✓ Strengthen capacities to enforce environmental laws

- ✓ Strengthen transboundary cooperation, national capacities, awareness raising and communication with regard to environmental laws and regulations

- **Environmental Rights**

Promoting, respecting and protecting environmental rights is key to sustainable development. A human rights perspective on environmental protection not only promotes human dignity, equality and freedom but also improves the effectiveness of policy making generally.

We work with state and non-state actors to:

- ✓ Strengthen institutional capacities to develop and implement policy and legal frameworks that protect environmental rights effectively and inclusively
- ✓ Encourage businesses to respect environmental rights
- ✓ Help businesses to better understand what their environmental rights obligations are and provide guidance on how to move from a compliance culture to championing environmental rights
- ✓ Support the dissemination of information on environmental rights to the public, and particularly to vulnerable populations and peoples

Establish networks to support this outreach and implement a media training curriculum on environmental rights in all major regions.

- **Achieving the Global Goals**

UN Environment promotes synergies in the multilateral system by strengthening the capacities of countries to coherently implement internationally agreed environmental goals, including the Sustainable Development Goals and the Paris Agreement. In order to achieve the internationally agreed environmental goals and the implementation of the 2030 Agenda.

We work with state and non-state actors to:

- ✓ Enables institutions to better address the environmental dimension of the Sustainable Development Goals
- ✓ Supports the development of national policies that promote poverty eradication and environmental sustainability and
- ✓ Provides technical support to promote public and private investments that support poverty eradication and environmental sustainability

- **Promoting Sound Environmental Governance**

We facilitate the flow of information between the law division of UN Environment and their partners, so as to promote more integrated work and provide up-to-date information between stakeholders building environmental governance around the world.

Highlights

1) Strengthening Institutions

UN Environment Strengthens Institutional Capacity for Development, Implementation and Enforcement of National Environmental Law

PROVIDING TECHNICAL LEGAL ASSISTANCE AND ADVISORY LEGAL SERVICES TO COUNTRIES

Strengthening National Policy and Planning on Sand Mining in the Cook Islands

In a first for the region, the Cook Islands embarked on the development of national sand mining guidelines, with the support of the law division.

Strengthening National Policies and Legal Frameworks on Wildlife Management in Vietnam

Vietnam has taken steps to strengthen its national policies and legal framework on wildlife management and to comply with the legal requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Technical legal assistance was provided to the Vietnam Environment Administration for the identification of legislative gaps or regulatory challenges in the existing framework, and for the development of specific recommendations designed to address these. Once enacted, the recommendations will streamline and strengthen Vietnam's national wildlife legislation in a number of key areas, removing persistent barriers to implementation, providing more effective tools for enforcement and ensuring that it is uniformly compliant with the requirements under CITES.

Complying with CITES Requirements for National Legislation in Angola

Angola is also one step closer to complying with the requirements for domestic legislation under CITES. As part of the UN Environment/CITES National Legislation Project, technical legal assistance was provided to the Ministry of Environment of Angola for the preparation of a draft bill enhancing the domestic implementation of CITES. Once enacted, international trade in CITES species and non-CITES species found within Angolan national territory will be prohibited. In addition, a 10-year moratorium is to be imposed on the international trade of flora and fauna species native to Angola, as the country lacks scientific data that can be used as a baseline for the management of these species.

Strengthening National Legislation to Address Illicit Trade in Wildlife in Paraguay

Paraguay has moved to strengthen its national legislation to address the challenges posed by the illicit trade in wildlife. The Commission on Environment of the Senate of Paraguay endorsed a draft law on the protection of biodiversity and sustainable use of wildlife, and a proposal to incorporate environmental wildlife crimes into the country's national Penal Code. The law and proposal were drafted on the basis of technical legal assistance provided by the law division.

Strengthening Environmental Impact Assessment Legislation in Nigeria

The Federal Ministry of Environment of Nigeria is taking positive steps to enhance the environmental sustainability of development projects in the country through a review of its Environmental Impact Assessment Act of 1992, pursuant to technical legal assistance provided by the law division. The law division facilitated a technical and stakeholder review workshop, held in Abuja between 23 and 26 October 2017, to assess the existing legislative framework, intended to identify and address regulatory gaps, and proposed the expansion of the Act's legislative coverage to reflect global trends of good practices, including the incorporation of climate change, strategic environmental assessments, health and social assessments and environmental audits. The draft bill is now ready to be tabled for submission to the National Assembly.

Supporting the Development and Implementation of the Environmental Rule of Law in Kenya

The law division supported the development and implementation of environmental rule of law in Kenya through the organization of a two-day training for members of the National Environmental Tribunal of Kenya, held in Nairobi on 8 and 9 February 2017. Utilising the law division's 2016 guidance material on 'Environmental Courts & Tribunals: A Guide for Policy Makers,' the workshop enhanced the capacity of tribunal members to adjudicate environmental matters, providing the members with practical examples and reinforcing their understanding of the key concepts and overriding objectives of environmental governance in Kenya.

KNOWLEDGE AND SKILL SETS IN ENVIRONMENTAL LAW IMPARTED AT THE REGIONAL AND INTER-REGIONAL LEVELS

Enhancing the Capacity of National Stakeholders to Articulate Positions and Negotiate at Intergovernmental Processes

The capacity of 32 Sudanese ministers and civil servants to participate effectively in negotiations relating to the rules for the implementation of the Paris Agreement at COP 23 was reinforced at the Third Capacity Building Workshop for Climate Change Negotiators, held in Khartoum, Sudan on 24 and 25 September 2017. The workshop focused on those issues that are particularly relevant to the Sudanese position, and enabled representatives of the national delegation to identify possible allies in the ongoing negotiations, based on a commonality of interests and a convergence of priorities.

The ability of the Africa Group of Negotiators and Small Island Developing States (SIDS) to understand key issues being considered in these negotiations and to formulate and articulate their positions was strengthened during the pre-session period of COP 23, held in Bonn, Germany.

Steps were also taken to enhance the capacity of over 40 Permanent Representatives of the Africa Group accredited to UN Environment to raise the African regional voice at the First Dialogue on Environmental Diplomacy for the Africa Diplomatic Corps, held at the United Nations Offices in Nairobi, Kenya from 18 to 20 September 2017.¹ The dialogue focused on preparing the group for the third

¹ A Press Release for the Dialogue can be accessed at <http://web.unep.org/africa/news/un-environment-organises-first-dialogue-environmental-diplomacy-african-diplomats>.

session of the United Nations Environment (UNEA 3) Assembly in December 2017. Technical sessions, delivered by the law division, introduced the group to the key themes, regional perspectives and issues likely to be faced at the Assembly.

Twenty-five participants from 23 developed and developing countries elevated their understanding with respect to international environmental law-making, negotiation and diplomacy in the context of 'Trade and Environment' at the 14th Joint UN Environment-University of Eastern Finland Multilateral Environmental Agreement Course, held in Chambéry, France from 9 to 19 October 2017.² The course enhanced the capacity of participants, composed of government officials, representatives of non-governmental organizations and private sector stakeholders, to engage in trade-related environmental negotiations, address trade and environment-related issues in their respective countries, and to implement trade provisions found in multilateral environmental agreements (MEAs).

Promoting the Gathering and Analysing of Environmental Data in Pacific Nations

Pacific Islands need to undertake periodic stocktaking exercises through the State of Environment reports, which then feed into National Environment Management Strategies. The law division supported four countries in equipping their national environment monitoring infrastructure and national planning tools/instruments. Cook Islands and the Republic of Marshall Islands launched their updated State of Environment Reports; Vanuatu launched its National Environment Policy and Implementation Plan and Tuvalu released its National Environment Management Strategy, through an event organized by the Pacific Hub.

Promoting Environmental Sustainability in Artisanal and Small-Scale Mining

Regional platforms for dialogue between seven African countries were established, and capacity development for sustainable environmental practices in artisanal and small-scale mining (ASM) enhanced at the Regional Workshop for Building Capacity for Environmental Sustainability in Artisanal and Small-Scale Mining in Africa, held in Addis Ababa, Ethiopia from 23 to 25 May 2017.³ The meeting brought together partners involved in the integrated environmental governance of the extractive industries, and entailed the sharing of experiences, case studies and best practices in order to identify gaps and opportunities for the development of Country Mining Visions that promote safer and more sustainable environmental practices in ASM development, and respond to the Sustainable Development Goals. The workshop was jointly organized between UN Environment and the African Minerals

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