

**Environmental Law**  
**Making and Oversight for**  
**Sustainable Development**  
**A guide for Legislators**



© United Nations Environment Programme and Global Legislators Organisation for a Balanced Environment (GLOBE), March 2018.

Environmental law-making and oversight for sustainable development: A guide for legislators.

Authors: Ben MILLIGAN (University College London), Malini MEHRA (GLOBE).

Steering Committee: Allan MESO (United Nations Environment Programme), Malini MEHRA (GLOBE), Arnold KREILHUBER (United Nations Environment Programme).

For further information, please contact:

Global Legislators Organization for a Balanced Environment (GLOBE INTERNATIONAL AISBL) 235/2 Av. Des Volontaires, B1150 Brussels, Belgium.  
Tel: +447417466636;  
Email: [secretariat@globelegislators.org](mailto:secretariat@globelegislators.org);  
Website: [www.globelegislators.org](http://www.globelegislators.org).

Law Division, United Nations Environment Programme,  
PO Box 30552, 00100 Nairobi, Kenya.  
Tel: +254 20 7624749;  
Email: [unenvironment-law-director@un.org](mailto:unenvironment-law-director@un.org);  
Web: [www.unenvironment.org/explore-topics/environmental-governance](http://www.unenvironment.org/explore-topics/environmental-governance).

Disclaimer:

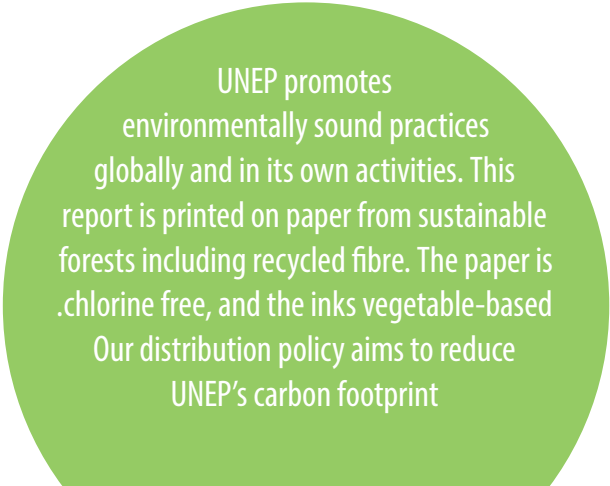
The contents and views expressed in this publication are in a personal capacity and do not necessarily reflect the views or policies of the United Nations Environmental Programme or its Member States or endorsement by GLOBE International.

The designations employed and the presentation of material in this publication do not imply the expression of any opinion whatsoever on the part of Globe International or UNEP concerning the legal status of any country, territory or city or its authorities, or concerning the delimitation of its frontiers and boundaries.

Publisher:

United Nations Environment Programme, Law Division,  
PO Box 30552, 00100 Nairobi, Kenya.  
Tel: +254 20 7624749.

Layout and Printing: Publishing Services Section, UNON, Nairobi, Kenya,  
ISO 14001:2004 certified/D118-01141/100 copies



UNEP promotes environmentally sound practices globally and in its own activities. This report is printed on paper from sustainable forests including recycled fibre. The paper is chlorine free, and the inks vegetable-based. Our distribution policy aims to reduce UNEP's carbon footprint



# **Environmental Law Making and Oversight for Sustainable Development A guide for Legislators**



---

## Acknowledgements

We gratefully acknowledge valuable contributions to this guide by the following members and friends of GLOBE International: Keisuke SUZUKI (MP, GLOBE Japan), Mohamed DIEDHIOU (Senegal), Racine KANE (IUCN), Luis Hernández Azmitia (Member of Congress, GLOBE Guatemala), Sydney SAMUELS (Minister for the Environment and Natural Resources, Guatemala), Innocent ONAH (GLOBE Nigeria), Anurag THAKUR (MP, Lok Sabha, GLOBE India), Pranav SINHA (GLOBE India), Mamadou Lamine THIAM (Deputy, Mayor of the Commune of Kébémér, GLOBE Senegal), Abou Chita Mossaif (Morocco), Mahamadou BALDE (OVSEO, Senegal).

Many thanks also to Rafael Jimenéz Aybar (GLOBE Secretariat) for support with translation, outreach and assistance. Special gratitude to Arnold Kreilhuber, Deputy Director, Law Division of the United Nations Environment Programme for providing a critical review of the guide.

## Five actions and talking points for legislators

1. Learn about the Sustainable Development Goals, Paris Agreement on Climate Change, Sendai Framework for Disaster Risk Reduction, Aichi Biodiversity Targets, and other important 'post-2015' global commitments concerning the environment and sustainable development.

**"... for the first time in history, all countries share a common, universal development agenda. It acknowledges that nations depend on one another and must work together to solve the world's most critical challenges. Its underlying motivation is to transform our world, in the way we live, work and do business."**

**Achim Steiner, UNDP Administrator, Speech at a meeting with Danish Ambassadors, 21.08. 2017**

**"... social and economic development depends on the sustainable management of our planet's natural resources. We are therefore determined to conserve and sustainably use oceans and seas, freshwater resources, ... forests, mountains and drylands and to protect biodiversity, ecosystems and wildlife."**

**UN General Assembly Resolution A/RES/70/1 – Transforming our world: the 2030 Agenda for Sustainable Development, 21.10.2015**

**"...the reality is that many policy-makers at national or local level are unaware of decisions taken at the global level. Global policy debates and their outcomes are often disconnected from national development plans and poverty reduction strategies. Overcoming this 'implementation gap' poses a significant challenge."**

**CAFOD, Report on "Lessons for implementation of post-2015", 2015**

2. Identify, and engage with, the government institutions and officials responsible for implementing the post-2015 global commitments concerning the environment and sustainable development.

**"There is no 'Plan B' because we do not have a 'Planet B'. We have to work and galvanise our action."**

**Ban Ki-Moon, UN Secretary General, Comment at People's Climate March, 21.09.2014**

**"The uncertain global economic outlook, the adverse impact of climate change and the humanitarian crisis means that the task ahead for us to implement the 2030 Goals is all the more daunting. The stark reality calls for immediate collective action."**

**Prime Minister Meltek Sato Kilman Livtuvanu, Vanuatu, Statement at UN General Assembly, 30.09.2015**

**"The big task is that it's not enough to have the institutional systems in place, the SDGs are about implementation. What do you prioritise? How do you budget in such a way that those that are in the frontline are now in the position of benefiting from implementation and services? ... now the institutions are in place, how do we prioritise, plan properly and implement so that we leave no one behind. The next 13 years is going to tell us how successful we are."**

**Namhla Mniki-Mangaliso, Director of Africa Monitor, Interview with Commonwealth Foundation, 27.03.2017**

3. Request official reports or testimony from government institutions and officials, on plans and progress towards implementation of the post-2015 global commitments concerning the environment and sustainable development. Call on parliament to endorse or reaffirm commitments to the post-2015 commitments, and develop evidence-based strategies for effective national implementation.



**“As parliamentarians, we must support efforts to reach the new goals in ways that respect each country’s national specificities. Our responsibility is clear: to hold governments accountable for the goals they have subscribed to, and to make sure that enabling laws are passed and budgets adopted.”**

**Inter-Parliamentary Union, Hanoi Declaration on the SDGs: Turning Words into Action, 01.04.2015**

**“... we still are faced with absolute poverty, huge unemployment issues and huge problems with governance. The SDG framework provides an opportunity within which that can change, but that’s not going to change by having the right policies in place, it’s going to change by implementation.”**

**Helen Clark, UNDP Administrator, Fourth World Conference of Speakers of Parliament, 2015**

4. Ensure that legislation and parliamentary decisions across all topic areas recognise the valuable, and sometimes irreplaceable, contributions of the environment to human wellbeing and development. Review alignment between national legislation and policies, and the post-2015 global commitments concerning the environment and sustainable development.

**“Sustainable development can only become a reality when biodiversity and ecosystems are healthy and resilient. Without addressing the critical linkage between ecosystems and sustainable development, our collective efforts will be in vain”**

**Cristiana Paşca Palmer, Convention on Biological Diversity Executive Secretary, Statement for UN Conference to Support the Implementation of Sustainable Development Goal 14, 15–16.02.2017**

**“There’s one issue that will defined the contours of this century more dramatically than any other, and that is the urgent and growing threat of climate change.”**

**President Barack Obama, United States of America, Speech at UN Climate Change Summit, 23.09.2014**

**“The modernization that we pursue is one characterized by harmonious coexistence between man and nature.”**

**“We must realize that lucid waters and lush mountains are invaluable assets and act on this understanding, implement our fundamental national policy of conserving resources and protecting the environment, and cherish the environment as we cherish our own lives.”**

**President Xi Jinping, China, Speech at 19th National Congress of the Communist Party of China, 18.10.2017**

5. Ensure that national budgets allocate sufficient resources to governance of the environment, recognising its role as valuable national asset and the foundation of human health, wealth and wellbeing.

**“Watersheds, forests, fisheries, coral reefs, soils, and all natural resources, ecosystems and biodiversity constitute our vital natural capital and are therefore central to long-term human well-being, and therefore must be protected from overuse and degradation and, where necessary, must be restored and enhanced.”**

**The Gaborone Declaration for Sustainability in Africa, 25.05.2012**

**“When we invest in natural capital we are working towards protecting against natural hazards, adapting to climate change, increasing sustainable development, adding to human health and food security.”**

**Pavan Sukdev, Founder and CEO of GIST Advisory, Speech at GLOBE Natural Capital Legislation Summit, 2013**

6. Convene or support inclusive platforms for engagement with civil society, business, cities, local governments, academia, indigenous peoples, and marginalised communities and groups—to keep public focus on the environment and on delivery of the post-2015 global commitments.



**“We are determined to mobilize the means required to implement this Agenda through a revitalised Global Partnership for Sustainable Development, based on a spirit of strengthened global solidarity, focussed in particular on the needs of the poorest and most vulnerable and with the participation of all countries, all stakeholders and all people.”**

**UN General Assembly Resolution A/RES/70/1 – Transforming our world: the 2030 Agenda for Sustainable Development, 21.10.2015**

**“Gender equality is the biggest transformer and enabler for achieving sustainable development”**

**Lakshmi Puri, UN Women Deputy Executive, Opening remarks at “A call to action for gender quality and women’s empowerment”, 17.05.2016**

**“The ratified Paris Agreement makes the transition to a low-carbon economy inevitable. The Sustainable Development Goals add to that a framework for developing our societies and economies. They turn all countries in the world into developing nations. As businesses around the world find their focus in the implications of this new framework, one thing has become crystal clear: the Paris Agreement and the SDGs will not be realised without the involvement of all state and non-state parties alike, especially the private sector.”**

**Peter Bakker, President and CEO of the World Business Council for Sustainable Development (WBCSD), WBCSD online insight, 29.11.2016**



# Table of Contents

<b>Acknowledgements</b> .....	<b>II</b>
<b>Five actions and talking points for legislators</b> .....	<b>III</b>
<b>Table of Contents</b> .....	<b>VI</b>
<b>List of Acronyms</b> .....	<b>VIII</b>
<b>1. Introduction</b> .....	<b>1</b>
1.1 The post-2015 era of sustainable development .....	1
1.2 National parliaments in the post-2015 era .....	2
1.3 The purpose of this Guide .....	3
1.4 How to use and structure of this Guide .....	3
1.5 Contributing to future versions of this Guide .....	4
<b>2. Summary information and talking points</b> .....	<b>5</b>
2.1 The global challenge of sustainable development .....	5
2.2 The environment's role as a foundation of development .....	5
2.3 Relevant international legal and political commitments .....	6
2.4 Important principles and design features for environmental law .....	7
2.5 Guiding and oversight of government decision-making .....	9
2.6 Allocating resources for environmental assets and governance .....	10
2.7 Building collaborations, contacts and capacity .....	12
<b>3. The new era and challenge of sustainable development</b> .....	<b>14</b>
3.1 The environment and human development: summary of global trends .....	14
3.2 How the environment underpins social and economic development .....	16
<b>4. Global commitments concerning the environment and development</b> .....	<b>18</b>
4.1 The 2030 Agenda for Sustainable Development .....	18
4.2 The Paris Agreement on Climate Change .....	20
4.3 The Addis Ababa Action Agenda .....	20
4.4 The Sendai Framework for Disaster Risk Reduction .....	21
4.5 The Convention on Biological Diversity and Aichi Targets .....	21
4.6 Other important agreements and commitments .....	22
4.7 Key actions and requirements for national implementation .....	22
<b>5. Environmental law-making for sustainable development</b> .....	<b>24</b>
5.1 Key principles from international agreements and practice .....	24
5.2 Key design-features of 'post-2015' environmental law .....	24
5.3 Key terms and concepts for legislative drafting .....	26
5.4 Examples for legislative design and development .....	26
<b>6. Guiding and oversight of government decision-making</b> .....	<b>28</b>
6.1 Debates, committees, enquiries, commissions and other public fora .....	28
6.2 Environmental and sustainable development reporting and planning .....	28
6.3 Accountability for action contrary to sustainable development .....	30
6.4 Environmental implications of trade and investment agreements .....	32
<b>7. Allocating resources for environmental assets and governance</b> .....	<b>33</b>
7.1 Fiscal and corporate scrutiny and reform .....	33
7.2 Justifying benefits of investment in environmental assets and governance .....	33
7.3 Examples of resource allocation for environmental assets and governance .....	35



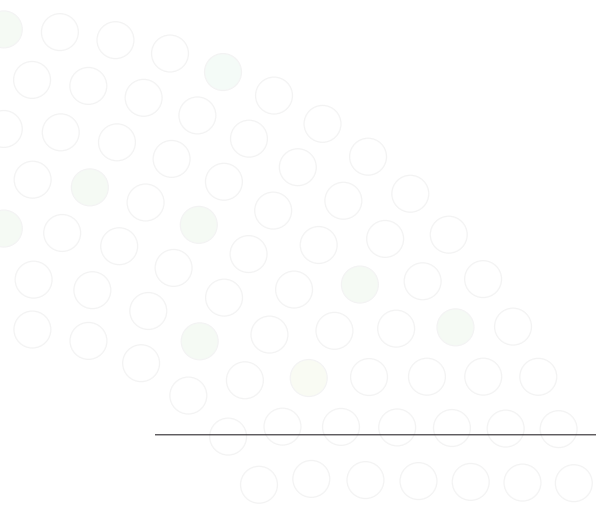
<b>8. Building collaborations, contacts and capacity.....</b>	<b>36</b>
8.1 National, regional and global networks.....	36
8.2 Accessing legislative capacity development.....	36
8.3 Examples of collaboration and capacity building .....	36
<b>9. Key actions and next steps .....</b>	<b>38</b>
<b>Appendix 1: Detailed reference materials.....</b>	<b>40</b>
<b>Appendix 2: Questionnaire for legislators and colleagues .....</b>	<b>42</b>

### List of Figures

Figure 1: Key services that the environment provides to people .....	25
Figure 2: The asset foundations of human wellbeing and development .....	24
Figure 3: Sustainable versus unsustainable development.....	25
Figure 4: Environmental commitments and dependencies across the SDGs.....	27
Figure 5: Relationships between post-2015 agreements on sustainable development .....	31
Figure 6: Overlaps between ecosystems and national jurisdictional boundaries.....	33
Figure 7: A national statistical infrastructure for sustainable development planning .....	38
Figure 8: A natural capital-based framework for investment in sustainable development .....	42
Figure 9: Benefits of sharing experiences of environmental law-making and oversight.....	46

### List of Tables

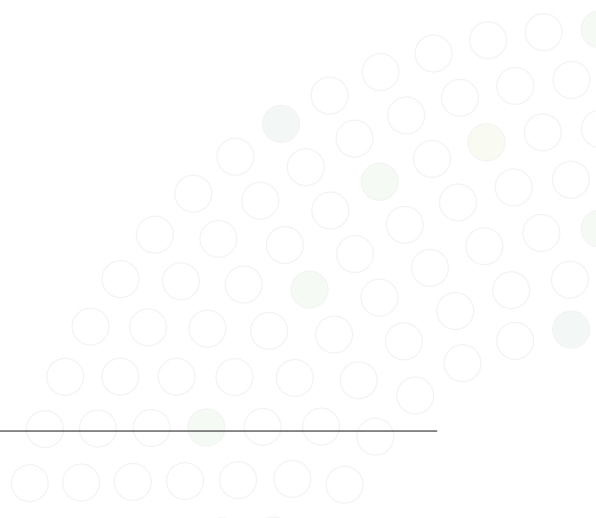
Table 1: Examples of environmental legislation for sustainable development.....	35
Table 2: Examples of resource allocation for environmental assets and governance .....	43
Table 3: Examples of parliamentary collaboration and capacity building.....	45





## List of Acronyms

FAO	—	Food and Agricultural Organization of the United Nations
FDES	—	Framework for the Development of Environment Statistics
GLOBE	—	Global Legislators Organisation for a Balanced Environment
IPBES	—	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPU	—	Inter-Parliamentary Union
IUCN	—	International Union for Conservation of Nature
OECD	—	Organisation for Economic Co-operation and Development
SDGs	—	Sustainable Development Goals
SEEA	—	System of Environmental-Economic Accounting
TEEB	—	The Economics of Ecosystems and Biodiversity
UN	—	United Nations
UNCED	—	United Nations Conference on Environment and Development
UNDP	—	United Nations Development Programme
UNEP	—	United Nations Environment (formerly Programme)



# 1. Introduction

## 1.1 The post-2015 era of sustainable development

2015 was a historic year for global efforts to meet humanity's present needs, without compromising the ability of future generations to achieve their own needs.<sup>1</sup> In September 2015, the 193 member states of the United Nations adopted, by consensus, a new 2030 Agenda for Sustainable Development.<sup>2</sup> This 35-page document is the result of more than five years of political negotiations between UN member states, and two-plus years of consultations involving civil society, appointed experts, and other stakeholders from around the world. Consultations and surveys, designed to incorporate perspectives of the poorest and most vulnerable people, were a distinctive feature of the Agenda's preparation process.

The Agenda features 17 Sustainable Development Goals (SDGs) and 169 Targets, which UN member states have committed to implement by 2030. These Goals and Targets are universal (applying to all countries) and interconnected. They firmly recognise that social and economic development depends on sustainable management of the natural environment and its resources, including ecosystems and biodiversity.

The SDGs and Targets are complemented by another set of inter-governmental agreements also reached in 2015 that focus on specific challenges concerning sustainable development. These agreements cover disaster risk reduction, finance and climate change, and are as follows: In March 2015, the UN member states adopted the Sendai Framework for Disaster Risk Reduction—a 15-year agreement that aims to achieve 'The substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries'. Soon after in July 2015, UN member states endorsed the Addis Ababa Action Agenda on Financing for Development, which aims to address financial barriers to sustainable development and align all financial flows and policies with the economic, social and environmental priorities of the 2030 Agenda. Finally in December, the Paris Agreement on Climate Change committed all nations to a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so.

These four ambitious commitments—combined with the results of the 2015 Beijing+20 Review Conference on the status of women, and the 2020 Aichi Targets for Biodiversity agreed in 2011—collectively mark the beginning of a new 'post-2015' era of sustainable development. They aspire for transformative change in a world confronted by grave social, economic, political and environmental challenges.

With regard to the environment, which is the focus of this document, the status quo falls far short of the world envisaged by the post-2015 commitments. At a global level and across almost all corners of the Earth, we have changed the natural environment rapidly and extensively to meet growing demands for food, fresh water, timber, fibre and fuel.<sup>3</sup> This has resulted in a substantial and largely irreversible loss in the diversity of life on Earth.<sup>3</sup> Many of the benefits and opportunities provided by the environment are being missed or lost, with often particular asymmetries experienced depending on gender, race, ethnicity, class and other characteristics. The planet's ecosystems provide us with food, materials and energy, regulate and maintain our health and safety, and are integral to our culture and identity. Ecosystems and the valuable goods and services they provide are being rapidly degraded as a result of pollution, overexploitation, climate change, and habitat destruction. In most countries, the values and benefits of ecosystems are not fully taken into account. They are also increasingly being questioned and challenged in national political debates and policies.

1 This overarching definition of sustainable development was first proposed by the 1987 Report of the World Commission on Environment and Development: [www.un-documents.net/our-common-future.pdf](http://www.un-documents.net/our-common-future.pdf).

2 See Transforming our world: the 2030 Agenda for Sustainable Development, UN General Assembly (UNGA) Resolution A/RES/70/1, 25 September 2015: [sustainabledevelopment.un.org/post2015/transformingourworld](http://sustainabledevelopment.un.org/post2015/transformingourworld).

3 See Millennium Ecosystem Assessment: Synthesis, 2005: [www.millenniumassessment.org/](http://www.millenniumassessment.org/)



## 1.2 National parliaments in the post-2015 era

In this dynamic context of clear global commitments to sustainable development, coupled with national debates that can pull in the opposite direction, what is the role of national parliaments and the legislators who serve in them? An answer can be found in the preamble of the 2030 Agenda, committed to by all countries, which states:

**We acknowledge also the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments. Governments and public institutions will also work closely on implementation with regional and local authorities, sub-regional institutions, international institutions, academia, philanthropic organisations, volunteer groups and others.**

National parliaments and legislators are therefore crucial to successful delivery of the post-2015 commitments—as lawmakers, arbiters and scrutinisers of government decision-making; as budget-setters and reviewers; and as leaders, conveners or enablers of partnerships for sustainable development. In paragraph 79, the 2030 Agenda also highlights the relevance of national parliaments to monitoring of progress towards sustainable development, noting as follows:

**We also encourage member states to conduct regular and inclusive reviews of progress at the national and sub-national levels which are country-led and country-driven. Such reviews should draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders, in line with national circumstances, policies and priorities. National parliaments as well as other institutions can also support these processes.**

International recognition of these law-making and oversight responsibilities has a long history, which can be traced back to the beginnings of international political discussions about the environment and sustainable development. For example, the 'Agenda 21' outcome document of the 1992 UN 'Rio' Conference on Environment and Development (UNCED) contains frequent references to the need for environmental legislation addressing certain issues.<sup>4</sup> Complementing the outcomes of the Rio Conference, the Inter-Parliamentary Union<sup>5</sup> (IPU) endorsed a detailed Brasilia Plan of Action in November 1992, which urged parliaments and parliamentarians to 'ensure that the process initiated with UNCED is strengthened and furthered' through certain actions at a national level.<sup>6</sup> In the 25 years since Rio, the importance of parliamentary action and responsibility concerning sustainable development has been reiterated by wide range of inter-parliamentary groups including the ACP–EU Joint Parliamentary Assembly, Andean Parliament, ASEAN Inter-Parliamentary Assembly, Global Legislators Organisation for a Balanced Environment (GLOBE), IPU, Commonwealth Parliamentary Association, and others.<sup>7</sup>

4 Available at: <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

5 The Inter-Parliamentary Union is an organisation made up of national parliaments from around the world. The IPU currently has 178 Member Parliaments and 12 Associate Members, and works closely with the UN and other partner organisations, including IGOs, parliamentary associations, and NGOs. See: <https://www.ipu.org>

6 See: <http://archive.ipu.org/splz-e/brasilha.htm>.

7 See: ACP–EU: [http://www.europarl.europa.eu/intcoop/acp/10\\_01/default\\_en.htm](http://www.europarl.europa.eu/intcoop/acp/10_01/default_en.htm); Andean Parliament: <https://parlamentoandino.org/>; ASEAN: <http://www.ajpasecretariat.org/report/detail/163/4>; GLOBE: <http://globelegislators.org/>; IPU: note 5 above; Commonwealth: <http://www.cpahq.org/cpahq/>.

## 1.3 The purpose of this Guide

How are these important functions of parliaments being reshaped in the post-2015 era of sustainable development? How can legislators and parliamentarians do their part to ensure that the SDGs and other post-2015 commitments are achieved by 2030 and beyond? The overarching purpose of this Guide is to provide formative answers to these questions that are practically useful in the daily work of legislators and legislative officials around the world. The scope of the Guide includes four core activity areas for legislators, namely: (1) environmental law-making for sustainable development; (2) guiding and oversight of relevant government decision-making; (3) allocation of resources for environmental assets and governance; and (4) building of collaborations, contacts and capacity spanning a wide range of constituents and stakeholders. The guidance provided for these activity areas is designed primarily to support legislative activities at the national level. However, content relevant to regional and sub-national activities is provided occasionally for added depth.

## 1.4 How to use and structure of this Guide

This guidebook is designed to serve a number of objectives:

- **Collection of summary briefing documents**—Sections 2–8 of the Guide are free-standing. They are intended for use as summary briefing documents on specific issues (e.g. key global trends concerning the environment and sustainable development).
- **Collection of talking points**—Several sections of the Guide contain text that is amendable to being read or adapted aloud. Like this paragraph, these talking points are marked with grey highlighting. Most talking points have been quoted (with clear attribution) from official speeches or documents. Unattributed talking points have been prepared by the authors of the Guide.
- **Catalogue of reference materials**—Footnotes are used throughout the Guide to compile detailed reference materials that are relevant to the range of topics discussed. All materials referred to in the Guide are open-access and available free of charge online. See Appendix 1 for a consolidated list of reference materials organised by topic area.
- **Section 2**—contains a summary version of the Guide as a whole. Information is presented in ‘question and answer’ format, accompanied by talking points that are designed to be used as preferred by legislators in the course of their daily work.
- **Section 3**—provides a ‘big picture’ overview of current scientific evidence concerning the new era and challenge of sustainable development. The information presented is distilled from the findings of important international research synthesis initiatives, including publications of the: Intergovernmental Panel on Climate Change, UN Environment International Resource Panel, Intergovernmental Panel on Biodiversity and Ecosystem Services, Millennium Ecosystem Assessment, Oxford Martin Commission on Future Generations, The Economics of Ecosystems and Biodiversity (TEEB), UN Environment Global Environmental Outlook, and others.
- **Section 4**—summarises and explains the post-2015 global commitments concerning the environment and sustainable development. Particular attention is devoted to the ‘core’ commitments recognised in the 2030 Agenda for Sustainable Development, Paris Agreement on Climate Change, Addis Ababa Action Agenda, Sendai Framework for Disaster Risk Reduction, and Aichi Targets adopted by states parties to the Convention on Biological Diversity. Other relevant international commitments—including specialised treaties concerning trade, international investment, and environmental jurisdiction and governance—are discussed briefly for context and added depth.
- **Section 5**—provides guidance and examples relevant to environmental law-making for sustainable development. The guidance is compatible with the post-2015 global commitments discussed in Section 4. Particular attention is devoted to key law-making principles evident in international agreements and practice; optimal design-features of environmental law in the ‘post-2015’ era; best practices for legislative development; scientific definitions of the environment that are relevant for legislative drafting.
- **Section 6**—offers guidance and examples relevant to guiding and oversight of government decision-making. Particular attention is devoted to strategic use of debates, committees, enquiries, commissions and other



public fora; environmental and sustainable development reporting; accountability for action contrary to sustainable development; and the environmental implications of trade and investment agreements.

- **Section 7**—provides guidance and examples concerning the allocation of resources for environmental assets and governance, focusing on options for environmental fiscal reform and justifying benefits of financial investment concerning the environment.
- **Section 8**—identifies options and opportunities available to legislators, for building: collaborations between different stakeholders, contacts with international colleagues, and capacity building partnerships to support environmental law-making for sustainable development. Opportunities are highlighted for legislators to contribute to the work of inter-parliamentary groups such as the International Parliamentary Union, Global Legislators Organisation, and equivalent bodies from various specific regions.
- **Section 9**—concludes by recommending key actions and next steps for interested legislators, to advance environmental law-making for sustainable development both in their home countries and globally.

## 1.5 Contributing to future versions of this Guide

No single document could possibly capture the full diversity, complexity, and context-specificity of environmental law-making in the 21st century. This short Guide was written over a period of 6 months, and represents only a preliminary first step towards meeting the information needs and challenges confronted by interested legislators. The structure and content of the present Guide has been informed by responses to a consultative survey conducted by GLOBE of its membership and subject experts.<sup>8</sup>

It is intended that this Guide will function as a living document that can be progressively amended, expanded and improved over time based on feedback from interested stakeholders. Preparation of the Guide is necessarily an inclusive process—requiring input from diverse stakeholders across the public sector, private sector, non-governmental organisations and civil society, and from multiple developed and developing countries. In particular, continued input from legislators will be crucial to ensure that the guidebook remains relevant to, and supportive of, their day-to-day work. In this spirit of global sharing and collaboration, the lead author group at GLOBE and UN Environment would be very grateful for any responses—brief or detailed—to the following guiding questions:

- What specific topics should be included in future versions of this Guide?
- Would you recommend any changes or additions to the topics currently included in this Guide?
- What examples of legislative and parliamentary best practice do you think should be included in future versions of this Guide?
- Which organisations and individuals should GLOBE and UN Environment consult for feedback concerning the Guide?

See Appendix 2 for a 1-page questionnaire that can be distributed to contacts and colleagues.

<sup>8</sup> A questionnaire and explanatory cover note was distributed to members and colleagues of the Global Legislators Organisation during September–October 2017.



## 2. Summary information and talking points

The paragraphs below contain summary information (presented in ‘question and answer’ format) and talking points that are relevant to environmental law-making and oversight for sustainable development. For more detailed guidance please refer to Sections 3–8.

### 2.1 The global challenge of sustainable development<sup>9</sup>

- ***At a global level, what progress has been achieved towards sustainable development?***  
Tremendous gains have been achieved for human health, wealth and wellbeing. For example: since 1990 more than 1 billion people have been lifted out of extreme poverty; more than 600 million people gained access to electricity between 2000–2016; and 17,000 fewer children die each day than in 1990.
- ***What are some key threats to sustainable development?***  
In many countries, social and economic development is undermined by extreme inequalities based on gender, age, disability, sexual orientation, race, class, ethnicity, religion and opportunity. 75% of people in developing countries live in societies where income is more unequally distributed than in the 1990s. Evidence suggests that current progress cannot be maintained without profound changes to the way we manage of the natural environment. Globally and in many countries, human health, wealth and wellbeing are threatened by climate change, widespread loss of ecosystems and biodiversity, and environmental pollution.

***“In a world with a growing population, glaring inequality and a precarious environmental base, it is imperative that Governments collaborate to balance the economic, social and environmental strands of sustainable development.”***

Ban Ki-Moon, UN Secretary General, Foreword to UNEP Global Environmental Outlook, May 2012

### 2.2 The environment’s role as a foundation of development<sup>10</sup>

- ***Why is the environment important for social and economic development?***  
The environment—comprised of non-living materials and living organisms that interact together as ecosystems—provide our societies and economies with a wide range of valuable goods and services. For example: ecosystems provide us with food, fuel and fibre; protect people from storms, flooding, pollution and other hazards; and are integral components of our cultural and spiritual identities. Some of these ecosystem goods and services cannot be obtained or replaced by other means. The environment should therefore be managed as a critical capital asset and as essential infrastructure for sustainable development.
- ***How can development benefits of the environment be measured and valued in practice?***  
In recent years, scientists, economists and other experts have made considerable progress towards accurate measurement, valuation, and accounting for benefits that the environment provides to people. The UN Statistical Commission and its partners have developed frameworks and standards designed for use by national governments for this purpose—in particular the UN Framework for the Development of Environmental Statistics (FDES), and UN System for Environmental-Economic Accounting (SEEA).<sup>11</sup> These tools ‘go beyond GDP’ to support integrated analysis of the environment, society and the economy, enabling monitoring of progress towards sustainable development.

<sup>9</sup> For more information, see: [sustainabledevelopment.un.org](http://sustainabledevelopment.un.org).

<sup>10</sup> See: [www.millenniumassessment.org/](http://www.millenniumassessment.org/); [web.unep.org/geo/](http://web.unep.org/geo/); [www.ipbes.net](http://www.ipbes.net); and [www.teebweb.org](http://www.teebweb.org).

<sup>11</sup> See: [unstats.un.org/unsd/envstats/fdes.cshtml](http://unstats.un.org/unsd/envstats/fdes.cshtml); and [unstats.un.org/unsd/envaccounting/default.asp](http://unstats.un.org/unsd/envaccounting/default.asp).



*"As we watch the sun go down, evening after evening, through the smog across the poisoned waters of our native Earth, we must ask ourselves seriously whether we really wish some future universal historian on another planet to say about us: 'With all their genius and with all their skill, they ran out of foresight and air and food and water and ideas'"*

U Thant, UN Secretary General, addressing 7th Session of the General Assembly, New York, 1970

*"It is not enough for us to talk about freedom, climate change, health, security and the environment. We need widely accepted communication tools that show progress in these fields. And that progress can only be measured with suitable indicators. So it's time to go beyond the tools developed for the very different world of the 1930s ... It's time to go beyond GDP."*

José Manuel Barroso, President of the European Commission, Beyond GDP Conference, November 2007.

## 2.3 Relevant international legal and political commitments

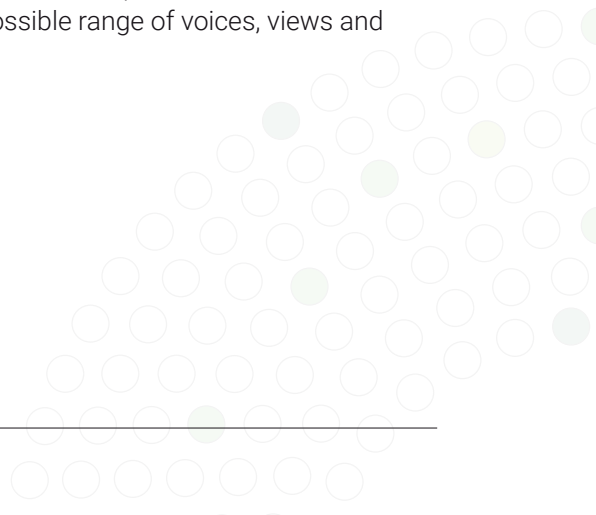
- ***What international political commitments have countries made concerning the environment and sustainable development?***

In 2015, member countries of the United Nations endorsed a series of ambitious 'post-2015' commitments concerning the environmental and sustainable development, namely the: 2030 Agenda for Sustainable Development, featuring a set of 17 Sustainable Development Goals and 169 associated Targets; Paris Agreement on Climate Change, establishing a global framework for coordinated national action to mitigate climate change and adapt to its adverse effects; Addis Ababa Action Agenda on Financing for Development; and Sendai Framework for Disaster Risk Reduction. These are complemented by the Aichi Biodiversity Targets that were agreed in 2011 by States Parties to the Convention on Biological Diversity.

- ***What environmental actions do the post-2015 global commitments require at a national level?***

Each of the post-2015 commitments calls for a range of substantive and procedural actions, with substantial synergies and overlaps between them. For environmental law-making and oversight at the national level, these can be summarised collectively as requiring action to:

- (1) improve monitoring, reporting and assessment of the environment, including flows of benefits that the environment provides to people;
- (2) increase the level of effort and resources invested in conservation, restoration, and enhancement of the environment and associated flows of goods and services;
- (3) ensure that costs and benefits associated with decision-making about the environment are distributed equitably in accordance with the 2030 Agenda's pledge that "no-one will be left behind"; and
- (4) ensure that decisions concerning the environment and sustainable development are made in an inclusive and participatory manner, to ensure that the widest possible range of voices, views and interests are represented, considered and heard.





*“The intergovernmental negotiations on the post-2015 development agenda, financing for development, climate change, and disaster risk reduction provide the international community with a unique opportunity to enhance coherence across policies, institutions, goals, indicators and measurement systems for implementation, while respecting the respective mandates.”*

Preamble paragraph 11 of the Sendai Framework for Disaster Risk Reduction

*“If the right decisions are made and kept we could see the beginnings of a better future in 2015.”*

Malala Yousafzai, quoted in UN Secretary General’s Synthesis Report on the post-2015 development agenda, 2014

*To build a prosperous country and a better future, we must invest in the environment like we invest in other essential infrastructure—such as roads, hospitals, and schools.*

## 2.4 Important principles and design features for environmental law

- **What key principles should be embedded in national environmental laws in order to implement the post-2015 commitments and achieve sustainable development?**

The post-2015 commitments have profound implications for national environmental laws. They call collectively for the environment to be recognised as a foundation of development – as opposed to something that should be balanced with development, or protected only when sufficient economic or social progress is achieved. Three key principles should be embedded in national environmental laws in order to align them with the post-2015 commitments:

- (1) **Good governance** – Decisions about the environment should be based on the best available evidence, and should operate in an inclusive and accountable manner open to all stakeholders at multiple levels of scale.
- (2) **Health, wealth and wellbeing for all** – Decisions about the environment should contribute to social and economic infrastructure, wealth creation, well-being and poverty alleviation, so that no-one is left behind; in particular women, children, indigenous peoples, and other marginalised groups.
- (3) **Maintain or enhance the environment and natural resources** – All decision-making must recognise that the environment is a foundation on which human health, wealth and wellbeing are built. Decisions must account for and maintain the full range of values and benefits provided by the environment and natural resources.

- **What key design features of environmental laws and law-making have proved effective at supporting progress towards sustainable development?**

There is no single ‘best practice’ approach to environmental law-making for sustainable development. The task is complex and specific to national circumstances, cutting across different policies, institutions and sectors. However, experiences from around the world do highlight characteristic ingredients of effective environmental laws and law-making. These can be summarised as follows:

- (1) **Participation, incentives and empowerment** – Environmental law-making processes should involve diverse stakeholders, including but not limited to local communities, businesses, civil society, and subject matter experts. Environmental laws should ensure that each of these groups have incentives to conserve, restore and enhance the environment, and are empowered to take innovative action through appropriate property rights and other entitlements. Japan’s Top Runner Programme on energy efficiency,<sup>12</sup> and the collaborative development of integrated coastal management laws in Senegal,<sup>13</sup> are illustrative examples of such approaches.

<sup>12</sup> See: [www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/](http://www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/)

<sup>13</sup> See: [documents.worldbank.org/curated/en/589901468107091346/Senegal-Integrated-Marine-and-Coastal-Resources-Management-Project](http://documents.worldbank.org/curated/en/589901468107091346/Senegal-Integrated-Marine-and-Coastal-Resources-Management-Project)



- (2) *Mainstreaming of the environment across government and society* – Environmental laws and law-making should ensure that environmental considerations are integrated across all parts of government, in particular within the institutions responsible for decision-making about economic policy. They should also support awareness raising and educational activities, building environmental expertise and highlighting the practical importance of the environment for people’s daily lives. Illustrative examples of such approaches can be found in the 22 countries partners of the UNDP–UN Environment Poverty Environment Initiative; work of the Organisation for Economic Cooperation and Development (OECD) on environment, biodiversity and development mainstreaming; and various mainstreaming initiatives of the International Development Law Organisation.<sup>14</sup>
- (3) *Alignment with development needs and priorities* – Environmental laws and law-making must support, respect, and closely align with the rights of all people to live healthy, happy and meaningful lives. Environmental conservation should account for the impacts and dependencies of local communities, and recognise the role of local people as stewards of ecosystems and resources that are valuable and national and international scales. Decision-making should prioritise the protection of ecosystems that provide critical goods and services to people, communities and countries. Community conservation laws in Namibia, and forest management laws in Costa Rica, are illustrative examples of such approaches.<sup>15</sup>
- (4) *Flexibility and responsiveness* – To accommodate the complexity and dynamism of the modern world, environmental laws and law-making should facilitate responsive and iterative implementation of government policies. They should also support efforts in private sector to adopt, and refine, voluntary self-complying measures through inclusive partnerships. The European Union (EU) Water Framework Directive, and longstanding use of environmental taxes by several EU member states, provide illustrative examples of such approaches.<sup>16</sup>

Examples of legislative drafting concerning the environment are maintained by:

- *Ecolex*, a joint initiative of IUCN, UN Environment and FAO;
- *WorldLII*, collaboration between 7 national Legal Information Institutes;
- *Climate Change Laws of the World*, collaboration between Columbia Law School, LSE, the Global Legislators Organisation, and IPU;
- *Climate Change Legal Toolkit*, developed by The Commonwealth.<sup>17</sup>

14 See: [www.unpei.org](http://www.unpei.org) (PEI Initiative); [www.oecd.org/environment/resources/mainstreamingbiodiversity.htm](http://www.oecd.org/environment/resources/mainstreamingbiodiversity.htm) (OECD work on mainstreaming); and [www.idlo.int/what-we-do/list-initiatives](http://www.idlo.int/what-we-do/list-initiatives) (IDLO initiatives on mainstreaming).

15 For Namibia, see: [www.namibiaembassyusa.org/statement/environmental-laws-of-namibia-constitutions-conservation-and-cheetahs](http://www.namibiaembassyusa.org/statement/environmental-laws-of-namibia-constitutions-conservation-and-cheetahs). For Costa Rica, see [www.cbd.int/financial/pes/costarica-peslaw.pdf](http://www.cbd.int/financial/pes/costarica-peslaw.pdf).

16 See: [ec.europa.eu/environment/water/water-framework/index\\_en.html](http://ec.europa.eu/environment/water/water-framework/index_en.html) (Water Framework Directive); and [www.eea.europa.eu/publications/environmental-taxation-and-eu-environmental-policies](http://www.eea.europa.eu/publications/environmental-taxation-and-eu-environmental-policies) (environmental taxes).

17 See: [www.ecolex.org](http://www.ecolex.org) (Ecolex); [www.worldlii.org](http://www.worldlii.org) (WorldLII); [www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/](http://www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/) (Climate Change Laws of the World); [thecommonwealth.org/](http://thecommonwealth.org/) (The Commonwealth Toolkit)



***“And as Environment Secretary, I want to be very clear – it is my ambition and it’s my department’s vision to be the first generation to leave our environment better than we found it since the industrial revolution.”***

Andrea Leadsom, United Kingdom Environment Secretary, speech at State of Nature report launch, 14.09.2014

***The international community has recognised that environmental laws are not a barrier to social and economic progress, they are essential requirements for progress to continue.***

***We now know that protection of the environment is not a barrier to development, it is the foundation on which all development is built.***

***We must recognise that many people who bear the greatest cost of environmental protection, are not those who enjoy the greatest consequent rewards.***

## 2.5 Guiding and oversight of government decision-making

- ***What types of action can legislators take, to align government decisions about the environment with sustainable development?***

In many countries, national constitutions and laws empower legislators to take a range of actions that can be used to guide executive decision-making along a pathway towards sustainable development. Key example actions include the following:

- (1) *Dialogue with institutions and officials* – Identify, and seek ongoing dialogue with, the government institutions and officials that are responsible for implementing the post-2015 global commitments concerning the environment and sustainable development.
- (2) *Launch formal parliamentary processes* – Involving parliamentary colleagues, government and other stakeholders in a formal process, to define national action plans for achieving the Sustainable Development Goals, and implement the other post-2015 commitments concerning the environment and development in a coherent and convergent manner.
- (3) *Establish coordinating committees or dialogues* – Involving parliamentary colleagues and representatives from multiple parts of government, to foster and secure whole-of-government approaches to decision-making about the environment and sustainable development. It is particularly important in this context to involve decision-makers with responsibilities concerning employment, infrastructure investment, natural resource-based industries, and the macro-economy.

In 2016, the IPU and UNDP published a Self-assessment Toolkit<sup>18</sup> intended for use by parliaments to assess their preparedness to engage with the SDGs, and identify additional strategies, mechanisms and partnerships to support their implementation. Many of the strategies and examples discussed in the Toolkit are directly relevant to environmental law-making and oversight for sustainable development, including coherent implementation of all post-2015 commitments.

- ***What types of action can legislators take, to hold governments accountable for their progress towards environmental governance for sustainable development?***

Many countries have constitutional structures that allow for parliaments and legislators to exercise a degree of oversight over executive decision-making. Key actions in these contexts that legislators can take include the following:

<sup>18</sup> Available at [www.ipu.org/our-work/sustainable-development/sustainable-development-goals](http://www.ipu.org/our-work/sustainable-development/sustainable-development-goals).



- (1) *Request official reports or testimony* – from government institutions and officials, on plans and progress towards implementation of the post-2015 global commitments concerning the environment and sustainable development. Legislators should encourage or require executive colleagues to publish reports concerning the environment and sustainable development according to international best practice standards—such as the UN Framework for Development of Environmental Statistics, and UN System for Environmental-Economic Accounting.
- (2) *Establish ongoing parliamentary review of environmental governance* – focusing on scrutiny of the environmental implications of government decision-making generally, to ensure that development is environmentally sustainable, and the natural capital foundations of development are progressively conserved, restored or enhanced.
- (3) *National re-endorsement of the post-2015 commitments* – including formal motions in parliament to reaffirm national endorsement or ratification of the post-2015 commitments, and develop evidence-based strategies for their effective implementation.

***“One of the reasons the Millennium Development Goals (MDGs) were not fully realized, is pointed to ineffective Parliamentary action ... the fact of the SDGs will be equally sealed if Parliaments do not enact their own action plans by which they should ensure that relevant laws are enacted to compel the Executive to act.”***

Daniel F Kidega, Speaker, East African Legislative Assembly, 2016.

## 2.6 Allocating resources for environmental assets and governance

- ***How can legislators unlock additional resources for conservation and sustainable management of the environment***

Many countries have constitutional structures that allow for parliaments and legislators to influence the allocation by financial, human and technical resources by governments. Successful management of the environment for development means maximising all available domestic resources to achieve the best possible results. Legislators can help achieve this outcome through a range of actions including the following:<sup>19</sup>

- (1) *Interventions in national budget processes* – to ensure adequate investment in conservation, restoration or enhancement of environmental assets (in particular ecosystems) and in environmental governance.
- (2) *Scrutiny of law- and policy-making concerning foreign investment* – to ensure that such investment is aligned with the Addis Ababa Action Agenda and other post-2015 commitments, and does not result in net loss of national wealth and wellbeing through adverse impacts on the environment or through excessive tax concessions to investors.
- (3) *Championing of environmental fiscal reform* – including reforms to wasteful and environmentally damaging subsidies, and targeted taxation designed to internalise the environmental costs of economic activity and ensure that economic activity is compatible with the polluter-pays principle.
- (4) *Championing of corporate sustainability* – including through public recognition of businesses that can demonstrate alignment of their activities with the post-2015 commitments, and support for efforts to develop transparent and rigorous corporate reporting for the environmental sustainability and sustainable development. The Natural Capital Protocol, Global Reporting Initiative, and Carbon Disclosure Project are illustrative examples of innovative progress towards corporate reporting frameworks.<sup>20</sup>

<sup>19</sup> See also: [www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf](http://www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf); [siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf](http://siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf).

<sup>20</sup> See: [www.cdp.net/en](http://www.cdp.net/en) (Carbon Disclosure Project); [naturalcapitalcoalition.org/protocol/](http://naturalcapitalcoalition.org/protocol/) (Natural Capital Protocol); and [www.globalreporting.org/Pages/default.aspx](http://www.globalreporting.org/Pages/default.aspx) (Global Reporting Initiative).

- **How can legislators justify the importance of allocating more resources to environmental assets and governance?**

More economic sectors than many people realise depend on the environment. Beyond more obvious links with primary production sectors like agriculture, forestry and fisheries, ecosystems protect other sectors of the economy from natural hazards such as storms and flooding, regulate water quality, and mitigate risks to human health. Findings and consultations of The Economics of Ecosystems and Biodiversity Initiative (TEEB) indicate that allocations of more resources to the environment can be justified on several different grounds:

- (1) *Climate change mitigation and adaptation* – conservation, restoration or enhancement of forests and coastal ecosystems can be more cost-effective than other mitigation (e.g. industrial carbon capture) or adaptation (e.g. sea walls) measures.
- (2) *Investment in critical or cost-effective infrastructure* – experience in a growing number of countries highlights how ecosystems can represent a cost-effective alternative, or necessary complement, to heavy infrastructure and technological solutions for problems like water purification, waste management, or hazard protection.
- (3) *Socio-economic benefits of protected areas* – there is a strong case for managing and expanding protected areas, to maintain revenue from tourism, protect local employment and livelihoods, ensure food security, and maintain public health.
- (4) *Returns on restoration of degraded ecosystems* – in several countries, ecosystem restoration is an emerging field of significant commercial opportunity, where initial investment in grasslands, rangelands, forests, and coastal ecosystems has yielded high returns for agricultural, forestry, tourism, and other sectors.

Beyond all of these justifications, legislators can also emphasise ethical and moral grounds for allocating more resources to environmental assets and governance – the environment should be maintained for future generations, and is an intrinsic component of our culture, spirituality and identity. Living things also enjoy a right to exist free of suffering that is independent of people.

- **What evidence is available to legislators concerning the costs and benefits of investment in environmental assets and governance?**

There is now a wealth of scientific, economic and other information that can be used by legislators as a basis for justifying the importance of allocating more resources to environmental assets and governance. Key sources of information include the UNEP Global Environmental Outlook, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and TEEB.<sup>21</sup> Through the World Bank Partnership on Wealth Accounting and Valuation of Ecosystem Services and similar initiatives, more than 50 countries are starting to compile national datasets of information concerning links between the environment and sustainable development, which could be used by legislators as a basis for advocating for more investment.<sup>22</sup>

21 See: [web.unep.org/geo/](http://web.unep.org/geo/) (UNEP GEO); [www.ipbes.net](http://www.ipbes.net) (IPBES); [www.teebweb.org](http://www.teebweb.org) (TEEB).

22 See: [www.wavespartnership.org](http://www.wavespartnership.org) and [unstats.un.org/sdgs/](http://unstats.un.org/sdgs/).



*“Investing in natural capital supports a wide range of economic sectors and maintains and expands our options for economic growth and sustainable development. Such investments can be a cost-effective response to the climate change crisis, offer value for money, support local economies, create jobs and maintain ecosystem benefits in the long-term.”*

The Economics of Ecosystems and Biodiversity: TEEB for Policy Makers Summary Report, 2009

*“Environmental fiscal reform can play an important role ... helping countries raise revenues, while creating incentives that generate environmental benefits and support poverty reduction efforts.”*

Representatives of Denmark, the European Commission, Finland, Germany, Sweden, Switzerland, the United Kingdom, UNDP, UNEP and the World Bank, Foreword to Report on Environmental Fiscal Reform, 2005

*“We welcome the growing number of businesses that embrace a core business model that takes account of the environmental, social and governance impacts of their activities, and urge all others to do so.”*

The Addis Ababa Action Agenda on Financing for Development

## 2.7 Building collaborations, contacts and capacity

- *How can legislators build collaborative partnerships to advance environmental governance for sustainable development?*

In comparison to other actors, legislators in many countries have significant convening power, which can be used to establish partnerships between stakeholders from the public and private sectors, and with civil society. The World Parliamentary Forum on Sustainable Development, hosted in 2017 by the Indonesian House of Representatives and involving stakeholders from 49 countries, is an illustrative example of how legislative convening power can be used to establish partnerships and consensus building concerning environmental law-making and sustainable development.<sup>23</sup>

- *How can legislators connect with colleagues around the world who are also interested in environment and sustainable development?*

Legislators are encouraged learn more about, and contribute to, the relevant inter-parliamentary fora including the: IPU, African Parliamentary Union, ASEAN Inter-Parliamentary Assembly, Commonwealth Parliamentary Association and Regional Associations, Euro-Latin American Parliamentary Assembly, Global Legislators Organisation, Nordic Council, and others.

- *How can legislators access, and secure for others, capacity building support concerning the environmental law-making and oversight?*

For developing countries, a wide range of capacity building support is available from bilateral governmental donors; international non-government organisations; and inter-governmental institutions such as the UN Regional Economic Commissions, UNDP, UNEP, Global Environment Facility, and the relevant development banks. Key actions that legislators can take to ensure effective support for parliamentary activities include:

- (1) *Formal and informal dialogue with development partners* – to match capacity building support with relevant needs, and to ensure that parliamentary activities, law-making and oversight are mainstreamed as appropriate across development projects.

<sup>23</sup> See: [ksap.dpr.go.id/pfsd2017/](https://ksap.dpr.go.id/pfsd2017/), including Declaration on “Achieving the 2030 Agenda through Inclusive Development”.

- (2) *Championing of coherent national priority setting and communication* – in many countries a wide range of development partners pursue their own institutional priorities and do not always collaborate effectively with one another, creating additional burdens for government institutions and contributing to the fragmentation of national laws and policymaking. Legislators can perform the crucial functions of convening and championing national efforts to develop integrated national strategies and priority statements concerning the environment; and communicating these across a wide range of international development partners.

***“The global SDGs need to be localized country-by-country through inclusive, participatory approaches. This includes a national plan for the SDGs derived from open and transparent consultations in parliament. While the doors of parliament must be open to public scrutiny, MPs should endeavour to reach out to people directly in their constituencies in as many practical ways as possible. MPs can play a key role in promoting the SDGs in terms that people can understand.”***

Summary of discussion, IPU side event on Mobilizing Parliaments for the SDGs, 2016 High Level Political Forum on Sustainable Development, 18 July 2016.

***We should consolidate and clearly communicate our capacity building needs, to help our international development partners respond coherently to our national priorities for environmental governance and sustainable development.***



## 3. The new era and challenge of sustainable development

This Section provides a 'big picture' overview of current scientific evidence relevant to the new era and challenge of sustainable development, focusing on: (1) key global trends; and (2) how the environment underpins social and economic development. The information is drawn from findings of important research synthesis initiatives (see references below).

### 3.1 The environment and human development: summary of global trends

- **Humanity as achieved tremendous progress over past decades** – As summarised by the Oxford Martin Commission for Future Generations,<sup>24</sup> 'Now is the best time in history to be alive' following dramatic global improvements in technology, physical and social infrastructure, and health, wealth and well-being. The scale of progress is highlighted by the fact that: the average person is ~8 times richer than a century ago; since 1990 more than 1 billion people have been lifted out of extreme poverty; more than 600 million people gained access to electricity between 2000–2016; and that 17,000 fewer children die each day than in 1990.<sup>25</sup> This progress is accompanied by serious problems and risks:
- **Many countries and societies remain deeply unequal and divided** – Within and across countries and communities, extreme inequalities persist based on gender, age, disability, sexual orientation, race, class, ethnicity, religion and socio-economic opportunity. World Bank research indicates that average income inequality within countries is greater now than 25 years ago. In 2014 the UNDP concluded that 75% of people in developing countries live in societies where income is more unequally distributed than in the 1990s. A 2016 study by OXFAM concluded that the richest 1% of people have more wealth than the rest of the world combined.<sup>26</sup>
- **People are changing the natural environment in rapid & unprecedented ways** – The Millennium Ecosystem Assessment (MEA), Intergovernmental Panel on Climate Change (IPCC), and Global Environmental Outlook assessments published by UN Environment highlight how over the past 50 years, people have changed natural environments (including the global climate system) more rapidly and extensively than ever before, largely to meet rapidly growing demands for food, fresh water, timber, fiber and fuel.<sup>27</sup> As powerfully summarised on page 1 of the General Synthesis report of the MEA:

This has resulted in a substantial and largely irreversible loss in the diversity of life on earth. The changes that have been made to ecosystems have contributed to substantial net gains in human well-being and economic development, but these gains have been achieved at growing costs in the form of the degradation of many ecosystem services, increased risks of nonlinear changes, and the exacerbation of poverty for some groups of people. These problems, unless addressed, will substantially diminish the benefits that future generations obtain from ecosystems.

24 A group of 19 international leaders from government, business, academia, media and civil society, chaired by Pascal Lamy, former Director-General of the World Trade Organisation. See: [www.oxfordmartin.ox.ac.uk/policy/commission/](http://www.oxfordmartin.ox.ac.uk/policy/commission/)

25 For more information, see above note 24: [sustainabledevelopment.un.org](http://sustainabledevelopment.un.org).

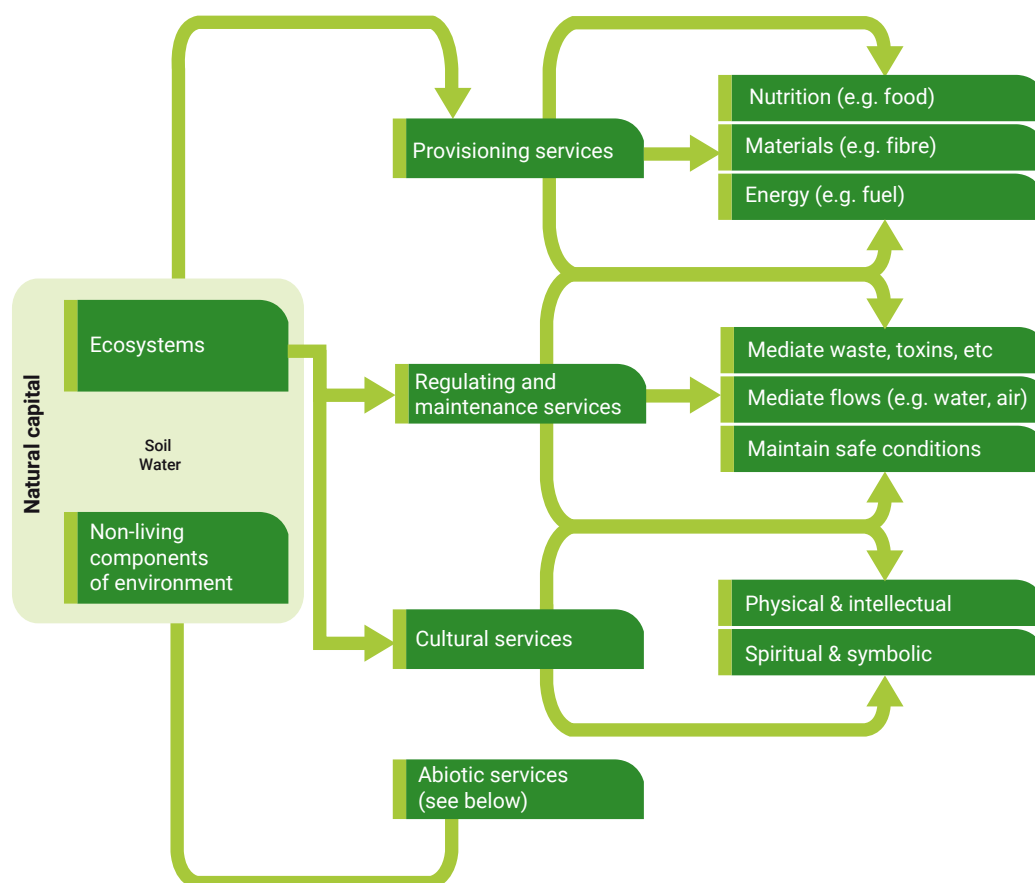
26 See: UNDP, Humanity Divided: Confronting Inequality in Developing Countries, [www.undp.org/content/undp/en/home/librarypage/poverty-reduction/humanity-divided-confronting-inequality-in-developing-countries.html](http://www.undp.org/content/undp/en/home/librarypage/poverty-reduction/humanity-divided-confronting-inequality-in-developing-countries.html); UNCTAD Trade and Development Report 2017, [unctad.org/en/pages/PublicationWebflyer.aspx?publicationid=1852](http://unctad.org/en/pages/PublicationWebflyer.aspx?publicationid=1852); World Bank, Poverty and Shared Prosperity 2016, [www.worldbank.org/en/publication/poverty-and-shared-prosperity](http://www.worldbank.org/en/publication/poverty-and-shared-prosperity); OXFAM, An Economy for the 1%, [policy-practice.oxfam.org.uk/publications/an-economy-for-the-1-how-privilege-and-power-in-the-economy-drive-extreme-inequ-592643](http://policy-practice.oxfam.org.uk/publications/an-economy-for-the-1-how-privilege-and-power-in-the-economy-drive-extreme-inequ-592643)

27 The MEA was commissioned in 2000 by UN Secretary-General Kofi Annan, see: [www.millenniumassessment.org](http://www.millenniumassessment.org). IPCC reports available at: [www.ipcc.ch](http://www.ipcc.ch). UNEP GEO Assessments are available at: [web.unep.org/geo/](http://web.unep.org/geo/).



The range of different benefits that ecosystems provide to people are explained further in Section 3.2, and illustrated in Figure 1 and Figure 2 below.

**Figure 1: Key services that the environment provides to people**



- Demand for natural resources, and emissions of greenhouse gases & other pollutants, must be managed to reduce pressures on ecosystems** – As comprehensively explained by the UN Environment International Resource Panel,<sup>28</sup> humanity is using unsustainable amounts of the Earth’s living and non-living natural resources. There is an urgent need to improve the rate of resource productivity (‘doing more with less’) faster than the rate of economic growth—thereby ‘decoupling’ such growth from impacts on the environment.<sup>29</sup> Reduction of waste and pollution caused by human activity is a vital component of this decoupling effort.<sup>30</sup> For example, in relation to carbon dioxide and other greenhouse gases, the 2014 IPCC Synthesis Report concludes that:

Continued emission of greenhouse gases will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems. Limiting climate change would require substantial and sustained reductions in greenhouse gas emissions which, together with adaptation, can limit climate change risks.

28 Publications and further information available at [www.resourcepanel.org](http://www.resourcepanel.org).

29 See in particular the IRP’s report on decoupling, available at [www.resourcepanel.org/reports/decoupling-natural-resource-use-and-environmental-impacts-economic-growth](http://www.resourcepanel.org/reports/decoupling-natural-resource-use-and-environmental-impacts-economic-growth).

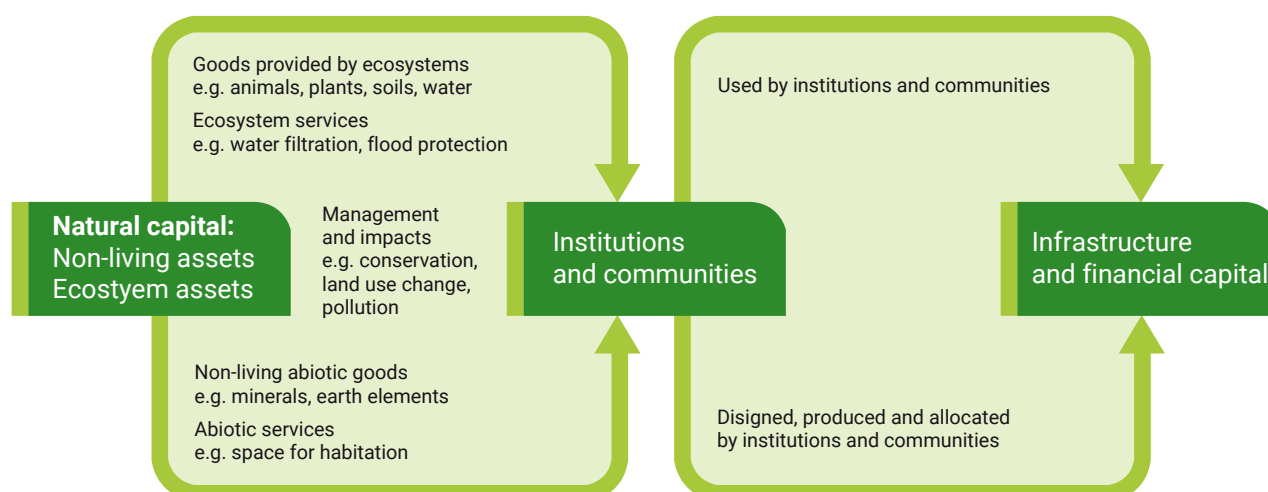
30 For further information see note 28, and the 5th Global Environmental Outlook at [web.unep.org/geo/assessments/global-assessments/global-environment-outlook-5](http://web.unep.org/geo/assessments/global-assessments/global-environment-outlook-5).



## 3.2 How the environment underpins social and economic development

- **The environment provides crucial benefits to people** – As explained in detail by The Economics of Ecosystems and Biodiversity Initiative, Millennium Ecosystem Assessment, and Inter-governmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES),<sup>31</sup> scientific evidence now clearly demonstrates how the natural environment functions as a capital asset—our natural capital—that provides an array of goods and services to people. As illustrated in Figure 1 and Figure 2 below, these include goods and services originating from non-living natural capital (e.g. minerals and fossil fuels) and those provided by ecosystems (e.g. cleaning of air and water, protection from storms and floods, and provision of fuel, food and fibre). Many of these goods and services are irreplaceable, and therefore underpin all social and economic development.
- **The environment should be treated as a valuable capital asset** – A rapidly growing body of scientific and economic evidence<sup>32</sup> now demonstrates how development depends on investment in the stewardship of (1) financial assets and infrastructure; (2) institutions and communities (e.g. education and health systems, public administration); and (3) natural capital including non-living assets (e.g. minerals) and living assets (e.g. biodiversity and ecosystems). As illustrated in Figure 2 below, these three categories of assets affect each other and should therefore be managed as an integrated system.

Figure 2: The asset foundations of human wellbeing and development

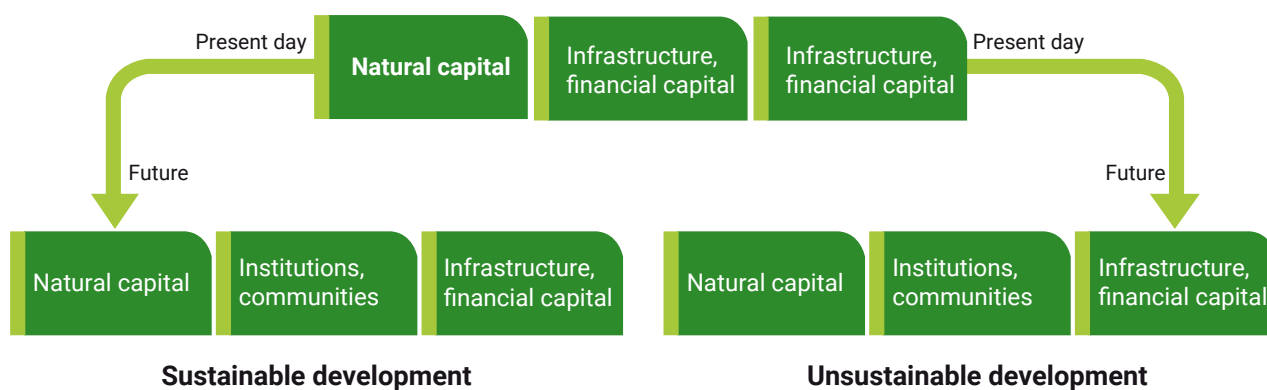


31 See: [www.teebweb.org](http://www.teebweb.org); [www.millenniumassessment.org/](http://www.millenniumassessment.org/) and [www.ipbes.net](http://www.ipbes.net), in particular the IPBES Message 'Primers' available at [www.ipbes.net/ipbes-6-primers](http://www.ipbes.net/ipbes-6-primers). TEEB is a global initiative whose principle objective is to mainstream the values of biodiversity and ecosystem services into decision-making at all levels. It was jointly initiated in 2007 by the German Federal Ministry for the Environment, responding to commitments made by environment ministers from the G8+5 countries meeting in Potsdam, Germany that same year. IPBES is an independent intergovernmental body, established by member States in 2012. There are currently 126 member States. The Panel provides policymakers with objective scientific assessments about the state of knowledge regarding the planet's biodiversity, ecosystems and the benefits they provide to people, as well as the tools and methods to protect and sustainably use these natural assets.

32 For further information see above note 31; World Bank, The Changing Wealth of Nations 2018: Building a Sustainable Future, [openknowledge.worldbank.org/handle/10986/29001](https://openknowledge.worldbank.org/handle/10986/29001); and GLOBE 2nd Edition Study on Natural Capital Accounting, [globelegislators.org/publications/legislation/natural-capital-new](https://globelegislators.org/publications/legislation/natural-capital-new); Green Economy Coalition and Oxford University, The Wealth of Nature, [www.greeneconomycoalition.org/assets/reports/webWealthofNature.pdf](http://www.greeneconomycoalition.org/assets/reports/webWealthofNature.pdf).

- **Sustainable development requires new models for economic growth and business** — As illustrated in Figure 3 below, sustainable development depends on net maintenance or enhancement of certain natural capital stocks (e.g. forests, rivers, land). In contrast, the prevailing approach of un-sustainable development builds other assets in a way that results in degradation or depletion of critical natural capital stocks over time (e.g. through deforestation, pollution, land-degradation). In recent decades, a growing range of promising economic and business models have emerged that do not depend on unsustainable use of the environment. These are commonly described using the terms ‘green growth’, ‘green economy’ (for land or generally), ‘blue economy’ (for oceans), and/or ‘circular economy’ (for activity fully decoupled from environmental impact through recycling, material re-use and other approaches).<sup>33</sup> For many countries, implementation of these economic and business models at large scale will require fundamental changes in governance—enabled by parliamentary action to craft and oversee laws and policies that are compatible with sustainable development.

Figure 3: Sustainable versus unsustainable development



<sup>33</sup> For further information see resources published by the Green Economy Coalition, [www.greeneconomycoalition.org](http://www.greeneconomycoalition.org); Green Growth Knowledge Platform, [www.greengrowthknowledge.org](http://www.greengrowthknowledge.org); WBCSD, [www.wbcd.org](http://www.wbcd.org); Ellen Macarthur Foundation, [www.ellenmacarthurfoundation.org](http://www.ellenmacarthurfoundation.org).



## 4. Global commitments concerning the environment and development

This Section summarises the key features of the five major international commitments that collectively mark the beginning of a new 'post-2015' era for the environment and sustainable development. Practical implementation challenges for national parliaments are also discussed, in the context of other relevant international commitments concerning trade, international investment, and environmental jurisdiction and governance.

### 4.1 The 2030 Agenda for Sustainable Development<sup>34</sup>

- **New comprehensive global goals for development** – On 1 January 2016, the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development—adopted by world leaders in September 2015 at an historic UN Summit—officially came into force. Over the following fifteen years, the SDGs and 169 associated Targets are designed to universally mobilise efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind.
- **Broader in scope than the Millennium Development Goals, applying to all countries** – The SDGs, also known as Global Goals, build on the success of the Millennium Development Goals (MDGs) and aim to go further to end all forms of poverty. The new Goals are unique in that they call for action by all countries, poor, rich and middle-income to promote prosperity while protecting the planet. They recognize that ending poverty must go hand-in-hand with strategies that build economic growth and addresses a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.
- **Emphasis on national action** – While the SDGs are not legally binding, governments are expected to take ownership and establish national frameworks for the achievement of the 17 Goals. Countries have the primary responsibility for follow-up and review of the progress made in implementing the Goals, which will require quality, accessible and timely data collection. Regional follow-up and review will be based on national-level analyses and contribute to follow-up and review at the global level.
- **Recognise the environment as a foundation of development** – Environmental sustainability is a central theme of the 2030 Agenda, whose preamble recognises that 'social and economic development depends on the sustainable management of our planet's natural resources.' Efforts to devliery the Agenda depend on the environment in two key ways, which are illustrated in Figure 4 below: First, 13 of the 17 SDGs and more than 50 of the 169 Targets explicitly call for actions relating to environmental management. Secondly, all remaining SDGs and Targets depend fundamentally on goods and services that the natural environment provides. This is clearly recognised in Target 15.9, which calls on all countries to: 'By 2020, integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies, and accounts.'

<sup>34</sup> For further information, see [sustainabledevelopment.un.org](http://sustainabledevelopment.un.org) and [unsdsn.org](http://unsdsn.org).

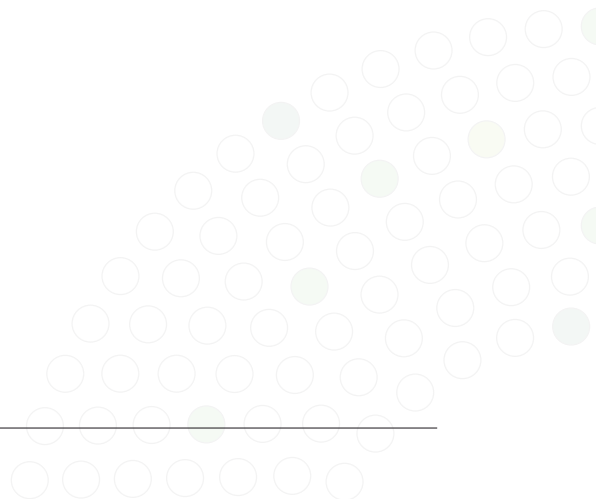


Figure 4: Environmental commitments and dependencies across the SDGs





## 4.2 The Paris Agreement on Climate Change<sup>35</sup>

- **Comprehensive agreement to mitigate climate change** — The Paris Agreement builds upon the UN Framework Convention on Climate Change and Kyoto Protocol. For the first time, it brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort. The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius.
- **Comprehensive agreement to adapt to climate change** — Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.
- **Emphasis on national actions within a common framework** — The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts. In 2018, Parties will take stock of the collective efforts in relation to progress towards the goal set in the Paris Agreement and to inform the preparation of NDCs. There will also be a global stocktake every 5 years to assess collective progress towards achieving the Agreement and to inform further individual actions by Parties.

## 4.3 The Addis Ababa Action Agenda<sup>36</sup>

- **Finance and investment complement to the 2030 Agenda** — This agreement was reached at the United Nations Third International Conference on Financing for Development, held in Addis Ababa in July 2015. The ambitious agenda includes measures to overhaul global finance practices and generate investments for tackling a range of economic, social and environmental challenges at the heart of the 2030 Agenda for Sustainable Development.
- **Detailed and comprehensive package of finance measures** — The Action Agenda addresses all sources of finance, and covers cooperation on a range of issues including technology, science, innovation, trade and capacity building. Domestic resource mobilization is central to the agenda. Countries agreed to an array of measures aimed at widening the revenue base, improving tax collection, and combatting tax evasion and illicit financial flows. Countries also reaffirmed their commitment to official development assistance, particularly for the least developed countries, and pledged to increase South-South cooperation. The Agenda also underscores the importance of aligning private investment with sustainable development, along with public policies and regulatory frameworks to set the right incentives. A new mechanism that will facilitate financing for new technologies for developing countries was also agreed upon.
- **Detailed policy commitments in several domains** — The Addis Ababa Action Agenda includes important policy commitments and key deliverables in critical areas for sustainable development, including infrastructure, social protection and technology. There were agreements for international cooperation for financing of specific areas where significant investments are needed, such as in infrastructure for energy, transport, water and sanitation, and other areas to help realize the SDGs.

<sup>35</sup> For further information, see [unfccc.int/paris\\_agreement/items/9485.php](http://unfccc.int/paris_agreement/items/9485.php).

<sup>36</sup> For further information, see [sustainabledevelopment.un.org/index.php?page=view&type=400&nr=2051&menu=35](http://sustainabledevelopment.un.org/index.php?page=view&type=400&nr=2051&menu=35).

## 4.4 The Sendai Framework for Disaster Risk Reduction<sup>37</sup>

The Sendai Framework is a 15-year, voluntary, non-binding agreement which recognizes that the State has the primary role to reduce disaster risk but that responsibility should be shared with other stakeholders including local government, the private sector and other stakeholders. It aims for the following outcomes: The substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries. The framework includes Seven Global Targets:

- Substantially reduce global disaster mortality by 2030, aiming to lower average per 100,000 global mortality rate in the decade 2020-2030 compared to 2005-2015;
- Substantially reduce the number of affected people globally by 2030, aiming to lower average global figure per 100,000 in the decade 2020 -2030 compared to 2005-2015;
- Reduce direct disaster economic loss in relation to global GDP by 2030;
- Substantially reduce disaster damage to critical infrastructure and disruption of basic services, among them health and educational facilities, including through developing their resilience by 2030;
- Substantially increase the number of countries with national and local disaster risk reduction strategies by 2020;
- Substantially enhance international cooperation to developing countries through adequate and sustainable support to complement their national actions for implementation of this Framework by 2030;
- Substantially increase the availability of and access to multi-hazard early warning systems and disaster risk information and assessments to the people by 2030.

The Sendai Framework also includes Four Priorities for Action, namely: (1) Understanding disaster risk, (2) Strengthening disaster risk governance to manage disaster risk, (3) Investing in disaster risk reduction for resilience, (4) Enhancing disaster preparedness for effective response and to “Build Back Better” in recovery, rehabilitation and reconstruction. Several implementation guides are available.

## 4.5 The Convention on Biological Diversity and Aichi Targets<sup>38</sup>

Opened for signature at the Earth Summit in Rio de Janeiro in 1992, and entering into force in December 1993, the Convention on Biological Diversity is an international treaty for the conservation of biodiversity, the sustainable use of the components of biodiversity and the equitable sharing of the benefits derived from the use of genetic resources. With 196 Parties so far, the Convention has near universal participation among countries. The Convention seeks to address all threats to biodiversity and ecosystem services, including threats from climate change, through scientific assessments, the development of tools, incentives and processes, the transfer of technologies and good practices and the full and active involvement of relevant stakeholders including indigenous and local communities, youth, NGOs, women and the business community. The Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit Sharing are supplementary agreements to the Convention. The Cartagena Protocol, which entered into force on 11 September 2003, seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. To date, 170 Parties have ratified the Cartagena Protocol. The Nagoya Protocol aims at sharing the benefits arising from the utilization of genetic resources in a fair and equitable way, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies. It entered into force on 12 October 2014 and to date has been ratified by 96 Parties.

Parties have agreed to a The Strategic Plan for Biodiversity 2011-2020 – A ten-year framework for action by all countries and stakeholders to save biodiversity and enhance its benefits for people. To implement the Strategic Plan for Biodiversity 2011-2020, Parties are:

<sup>37</sup> For further information, see [www.unisdr.org/we/coordinate/sendai-framework](http://www.unisdr.org/we/coordinate/sendai-framework).

<sup>38</sup> For further information see: [www.cbd.int](http://www.cbd.int) and [www.cbd.int/sp/targets/](http://www.cbd.int/sp/targets/).



- Reviewing, updating and revising their national biodiversity strategies and action plans (NBSAPs) in line with the Strategic Plan for Biodiversity 2011-2020;
- Developing national targets, using the Strategic Plan and its Aichi Biodiversity Targets as a flexible framework, and integrating these national targets into the updated NBSAPs. The national targets are developed taking into account national priorities and capacities with a view of also contributing to the collective efforts to reach the global Aichi Biodiversity Targets;
- Adopting the updated NBSAPs as a policy instrument;
- Using the updated NBSAPs for the integration of biodiversity into national development, accounting and planning processes;
- Monitoring and reviewing implementation of the NBSAPs and national targets, using indicators.

## 4.6 Other important agreements and commitments

Operating alongside the post-2015 commitments discussed above, many national governments have signed, ratified or acceded to a complex network of international agreements that relevant to environmental governance, and the design of national environmental laws. Key examples are summarised below:<sup>39</sup>

- **Multilateral agreements concerning the environment** – These are more than 700 multilateral environmental agreements (MEAs) which have proliferated in recent decades in a decentralised and ad hoc manner, responding to a wide range of specific environmental challenges. Key examples include the: Ramsar Convention on Wetlands; FAO instruments concerning agriculture and fisheries; Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; Stockholm Convention on Persistent Organic Pollutants; UN Convention on the Law of the Sea; and Vienna Convention for the Protection of the Ozone Layer.
- **Multilateral agreements concerning trade and development** – Key agreements include the: General Agreement on Tariffs and Trade, Agreement on Technical Barriers to Trade, and other agreements concluded under the auspices of the WTO; and the Cotonou Partnership Agreement between the EU and Africa, Caribbean and Pacific Group of States. A core objective of the WTO agreements is trade liberalisation, with a view to achieving more efficient use of the world's resources in accordance with the objective of sustainable development.
- **Bilateral or multilateral agreements concerning foreign investment** – More than 3000 inter-state agreements relating to international investment have been concluded to date. The general purpose of these international investment agreements (IIAs) is to ensure that states parties adhere to certain standards of treatment of foreign investors or investments. Many IIAs protect international investors by (1) obligating host countries to provide compensation for directly or indirectly expropriated assets, and/or (2) allowing foreign investors to settle disputes with host countries through compulsory and binding international arbitration.

## 4.7 Key actions and requirements for national implementation

Each of the post-2015 commitments calls for a range of substantive and procedural actions, with substantial synergies and overlaps between them. For environmental law-making and oversight at the national level, these can be summarised collectively as requiring action to:

- Improve monitoring, reporting and assessment of the environment, including flows of benefits that the environment provides to people;
- Increase the level of effort and resources invested in conservation, restoration, and enhancement of the environment and associated flows of goods and services;

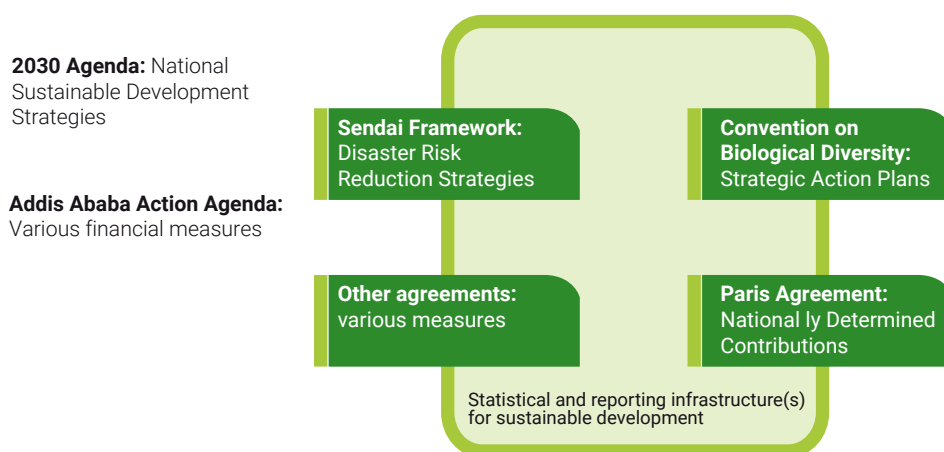
<sup>39</sup> For more detailed discussion (in the context of resource efficiency), see: [www.resourcepanel.org/reports/resource-efficiency](http://www.resourcepanel.org/reports/resource-efficiency)



- Ensure that costs and benefits associated with decision-making about the environment are distributed equitably in accordance with the 2030 Agenda's pledge that "no-one will be left behind"; and
- Ensure that decisions concerning the environment and sustainable development are made in an inclusive and participatory manner, to ensure that the widest possible range of voices, views and interests are represented, considered and heard.

Figure 5 below illustrates the key national implementation requirements associated with each of the post-2015 commitments, and the overlapping nature of their subject matter.

**Figure 5: Relationships between post-2015 agreements on sustainable development**





## 5. Environmental law-making for sustainable development

This Section provides guidance and examples relevant to environmental law-making for sustainable development. The guidance is compatible with key post-2015 global commitments, namely the 2030 Agenda for Sustainable Development, Paris Agreement on Climate Change, Addis Ababa Action Agenda, Sendai Framework for Disaster Risk Reduction, and Aichi Targets established under the Convention on Biological Diversity.

### 5.1 Key principles from international agreements and practice

The post-2015 commitments have profound implications for national environmental laws. They call collectively for the environment to be recognised as a foundation of development – as opposed to something that should be balanced with development, or protected only when sufficient economic or social progress is achieved. Three key principles should be embedded in national environmental laws in order to align them with the post-2015 commitments:<sup>40</sup>

- **Good governance** – Decisions about the environment should be based on the best available evidence, and should operate in an inclusive and accountable manner open to all stakeholders at multiple levels of scale.
- **Health, wealth and wellbeing for all** – Decisions about the environment should contribute to social and economic infrastructure, wealth creation, well-being and poverty alleviation, so that no-one is left behind; in particular women, children, indigenous peoples, and other marginalised groups.
- **Maintain or enhance the environment and natural resources** – All decision-making must recognise that the environment (including ecosystems) is a foundation on which human health, wealth and wellbeing are built. Decisions must account for and maintain the full range of values and benefits provided by the environment and natural resources.

### 5.2 Key design-features of 'post-2015' environmental law

There is no single 'best practice' approach to environmental law-making for sustainable development. The task is complex and specific to national circumstances, cutting across different policies, institutions and sectors. However, experiences from around world do highlight characteristic ingredients of effective environmental laws and law-making. These can be summarised as follows:

- **Participation, incentives and empowerment** – Environmental law-making processes should involve diverse stakeholders, including but not limited to local communities, businesses, civil society, and subject matter experts. Environmental laws should ensure that each these groups have incentives to conserve, restore and enhance the environment, and are empowered to take innovative action through appropriate property rights and other entitlements. Japan's Top Runner Programme on energy efficiency,<sup>41</sup> and the collaborative development of integrated coastal management laws in Senegal,<sup>42</sup> are illustrative examples of such approaches.
- **Mainstreaming of the environment across government and society** – Environmental laws and law-making should ensure that environmental considerations are integrated across all parts of government, in particular within the institutions responsible for decision-making about economic policy. They should also support awareness raising and educational activities, building environmental expertise and highlighting the practical importance of the environment for people's daily lives. Illustrative examples of such approaches can be found in the 22 countries partners of the UNDP–UNEP Poverty Initiative; work of the Organisation for Economic Cooperation and Development (OECD) on environment, biodiversity and development mainstreaming; and various mainstreaming initiatives of the International Development Law Organisation.<sup>43</sup>

<sup>40</sup> These principles were derived from an integrated

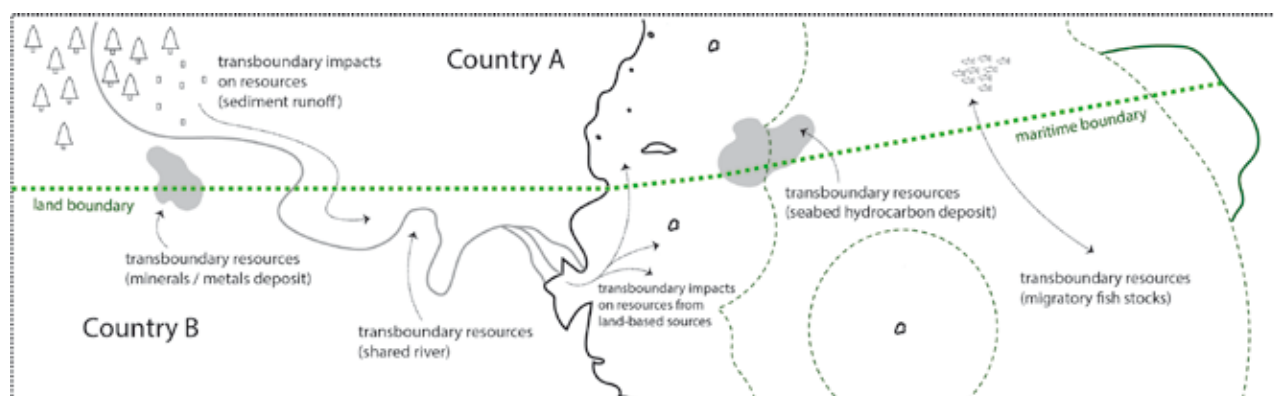
<sup>41</sup> See: [www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/](http://www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/)

<sup>42</sup> See: [documents.worldbank.org/curated/en/589901468107091346/Senegal-Integrated-Marine-and-Coastal-Resources-Management-Project](http://documents.worldbank.org/curated/en/589901468107091346/Senegal-Integrated-Marine-and-Coastal-Resources-Management-Project)

<sup>43</sup> See: [www.unpei.org](http://www.unpei.org) (PEI Initiative); [www.oecd.org/environment/resources/mainstreamingbiodiversity.htm](http://www.oecd.org/environment/resources/mainstreamingbiodiversity.htm) (OECD work on mainstreaming); and [www.idlo.int/what-we-do/list-initiatives](http://www.idlo.int/what-we-do/list-initiatives) (IDLO initiatives on mainstreaming).

- **Alignment with development needs and priorities** – Environmental laws and law-making must support, respect, and closely align with the rights of all people to live healthy, happy and meaningful lives. Environmental conservation should account for the impacts and dependencies of local communities, and recognise the role of local people as stewards of ecosystems and resources that are valuable and national and international scales. Decision-making should prioritise the protection of ecosystems that provide critical goods and services to people, communities and countries. Community conservation laws in Namibia, and forest management laws in Costa Rica, are illustrative examples of such approaches.<sup>44</sup>
- **Flexibility and responsiveness** – To accommodate the complexity and dynamism of the modern world, environmental laws and law-making should facilitate responsive and iterative implementation of government policies. They should also support efforts in private sector to adopt, and refine, voluntary self-complying measures through inclusive partnerships. The European Union (EU) Water Framework Directive, and longstanding use of environmental taxes by several EU member states, provide illustrative examples of such approaches.<sup>45</sup>
- **Collaboration across boundaries** – Environmental laws and law-making should establish coordination structures that recognise where appropriate the many contexts where spatial scales of ecosystems, and impacts of economic activity on ecosystems, extend across national boundaries. For example, approximately 40 per cent of the world’s population lives in river and lake basins comprised of two or more countries,<sup>46</sup> and many living resources (e.g. fish stocks) migrate across national boundaries. Key biophysical spatial interactions between ecosystems and national boundaries are illustrated in Figure 6 below.<sup>47</sup>

Figure 6: Overlaps between ecosystems and national jurisdictional boundaries



44 For Namibia, see: [www.namibiaembassyusa.org/statement/environmental-laws-of-namibia-constitutions-conservation-and-cheetahs](http://www.namibiaembassyusa.org/statement/environmental-laws-of-namibia-constitutions-conservation-and-cheetahs). For Costa Rica, see [www.cbd.int/financial/pes/costarica-peslaw.pdf](http://www.cbd.int/financial/pes/costarica-peslaw.pdf).

45 See: [ec.europa.eu/environment/water/water-framework/index\\_en.html](http://ec.europa.eu/environment/water/water-framework/index_en.html) (Water Framework Directive); and [www.eea.europa.eu/publications/environmental-taxation-and-eu-environmental-policies](http://www.eea.europa.eu/publications/environmental-taxation-and-eu-environmental-policies) (environmental taxes).

46 See: UN World Water Development Report 2015, [www.unesco.org/new/en/natural-sciences/environment/water/wwap/wwdr/2015-water-for-a-sustainable-world/](http://www.unesco.org/new/en/natural-sciences/environment/water/wwap/wwdr/2015-water-for-a-sustainable-world/).

47 Figure adapted from: [www.resourcepanel.org/reports/resource-efficiency](http://www.resourcepanel.org/reports/resource-efficiency).



## 5.3 Key terms and concepts for legislative drafting

- **Environment** — All natural and manmade features and conditions in which life exists on Earth, including but not limited to waters, land, air, species, minerals, oceans, and alterations by people to these features.
- **Ecosystem** — A dynamic complex of living and non-living components of the Environment, that interact as a functional unit.
- **Natural capital or natural resources** — All living and non-living components of the Environment, including Ecosystems, that provide flows of valuable goods and services to people.
- **Sustainable development** — Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

## 5.4 Examples for legislative design and development

Examples of legislative drafting concerning the environment are maintained by:

- *Ecolex*, a joint initiative of the IUCN, UN Environment, and UN Food and Agricultural Organisation;
- *WorldLII*, collaboration between 7 national Legal Information Institutes and others;
- *Climate Change Laws of the World*, collaboration between Columbia Law School, the London School of Economic and Political Science, the Global Legislators Organisation, and Inter-Parliamentary Union;
- *Climate Change Legal Toolkit*, developed by The Commonwealth.<sup>48</sup>

<sup>48</sup> See: [www.ecolex.org](http://www.ecolex.org) (Ecolex); [www.worldlii.org](http://www.worldlii.org) (WorldLII); [www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/](http://www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/) (Climate Change Laws of the World); [thecommonwealth.org/](http://thecommonwealth.org/) (The Commonwealth Toolkit.)



**Table 1: Examples of environmental legislation for sustainable development**

Topic	Relevant countries	Summary information
Sustainable development planning and management	Belize	The 1998 Coastal Zone Management Act provides for integrated coastal zone management in Belize through the establishment of a Coastal Zone Management Authority and Coastal Zone Management Institute with various responsibilities concerning sustainable development planning and management. In 2016 the Authority and Institute published an ambitious and collaboratively developed Integrated Coastal Zone Management Plan focusing on: encouraging sustainable coastal resources use, integrated development planning, alliance building, and climate change adaptation. <sup>49</sup>
Sustainable development planning	Canada	The 2008 Federal Sustainable Development Act establishes a legal framework for developing and implementing Canada's Federal Sustainable Development Strategy (FSDS), which is the primary vehicle for sustainable development planning and reporting, including the setting of priorities, goals and targets, and implementation actions. The Act requires the Minister of Environment and Climate Change to consult on and table a whole-of-government strategy every three years. 26 departments and agencies are responsible for preparing their own strategies under the FSDS. <sup>50</sup>
Sustainable development planning	China	The 13th Five-Year Plan for Economic and Social Development (2016–2020) contains seven Chapters dedicated to "Ecosystems and the Environment", which commit to building a "Beautiful China" through measures focusing on resource efficiency, environmental protection, management of ecological goods and services, functional zoning including the maintenance of "strategic ecological security" through creation of "ecological shields" and "ecological belts", and sustainable development of maritime space. <sup>51</sup>
Sustainable development across sectors	European Union	The EU has established a wide range of laws, policies and programmes relevant to environmental and other dimensions of sustainable development. The European Commission has undertaken to review these as a coherent whole in terms of their ability to deliver the Sustainable Development Goals. <sup>52</sup>
Sustainable development planning	Republic of Korea	The 2015 Sustainable Development Act and 2010 Framework Act on Low Carbon, Green Growth establish a national system for low-carbon sustainable development. This includes multi-year plans which are evaluated biennially by a Commission on Sustainable Development. The Third Basic Plan for Sustainable Development for 2016–2035 was adopted in January 2016, and seeks to integrate policy action to address threats to national sustainability, including climate change, biodiversity loss, and economic stagnation. <sup>53</sup>
Forest and water management	Mexico	The 2003 General Law for Sustainable Forest Development establishes a framework for the development and management of forests goods and services (including certain ecosystem services) in accordance with a range of safeguards including the rights of indigenous peoples to natural resources. Reforms to the Federal Rights Act and 2001 Law for Sustainable Rural Development establish a national framework for payments for ecosystem services in Mexico, which is underpinned by national and international finance (including climate finance). <sup>54</sup>
Land and wildlife management	Namibia	The 1996 Nature Conservation Amendment Act (Namibia) provides for the establishment of Communal Conservancies, which are self-governing, democratic entities run by local communities, empowered to manage and derive financial benefits from land in accordance with wildlife management plans and other requirements concerning sustainable development. <sup>55</sup>
Development planning and management	Senegal	Reforms to legislation relevant to the management of Senegal's coastline (which is severely impacted by erosion and other stressors) support the preparation and implementation of a national integrated coastal zone management plan, focusing on anti-erosion measures and climate change adaptation. The plan and legislative reform process was co-produced via a stakeholder consultation process involving local communities, elected officials, civil society, and others. <sup>56</sup>

49 See: [www.ecolex.org/details/legislation/coastal-zone-management-act-1998-act-no-5-of-1998-lex-faac013962/](http://www.ecolex.org/details/legislation/coastal-zone-management-act-1998-act-no-5-of-1998-lex-faac013962/) and [www.coastalzonebelize.org/wp-content/uploads/2015/08/BELIZE-Integrated-Coastal-Zone-Management-Plan.pdf](http://www.coastalzonebelize.org/wp-content/uploads/2015/08/BELIZE-Integrated-Coastal-Zone-Management-Plan.pdf).

50 See: [www.fsds-sfdd.ca/index.html#/en/goals/#tabs](http://www.fsds-sfdd.ca/index.html#/en/goals/#tabs)

51 See: [en.ndrc.gov.cn/newsrelease/201612/P020161207645765233498.pdf](http://en.ndrc.gov.cn/newsrelease/201612/P020161207645765233498.pdf)

52 See: [ec.europa.eu/europeaid/sites/devco/files/swd-key-european-actions-2030-agenda-sdgs-390-20161122\\_en.pdf](http://ec.europa.eu/europeaid/sites/devco/files/swd-key-european-actions-2030-agenda-sdgs-390-20161122_en.pdf) and [ec.europa.eu/environment/sustainable-development/SDGs/implementation/index\\_en.htm](http://ec.europa.eu/environment/sustainable-development/SDGs/implementation/index_en.htm)

53 See: [sustainabledevelopment.un.org/memberstates/republicofkorea](http://sustainabledevelopment.un.org/memberstates/republicofkorea) and [elaw.klri.re.kr/eng\\_service/lawView.do?lang=ENG&hseq=37136](http://elaw.klri.re.kr/eng_service/lawView.do?lang=ENG&hseq=37136).

54 See: [www.inecc.gob.mx/descargas/dgipea/draft\\_ecological\\_economics.pdf](http://www.inecc.gob.mx/descargas/dgipea/draft_ecological_economics.pdf) and [thereddesk.org/countries/mexico](http://thereddesk.org/countries/mexico).

55 See: [www.met.gov.na/services/conservancies/193/](http://www.met.gov.na/services/conservancies/193/) and [pubs.iied.org/pdfs/7799IIED.pdf](http://pubs.iied.org/pdfs/7799IIED.pdf).

56 For context see: [www.prcmarine.org/sites/prcmarine.org/files/droit\\_de\\_lenvironnement\\_au\\_senegal\\_0\\_1.pdf](http://www.prcmarine.org/sites/prcmarine.org/files/droit_de_lenvironnement_au_senegal_0_1.pdf).



## 6. Guiding and oversight of government decision-making

In many countries, national constitutions and laws empower legislators to take a range of actions that can be used to guide executive decision-making along a pathway towards sustainable development. This Section offers guidance concerning such action, with particular attention devoted to strategic use of: debates, committees, enquiries, commissions and other public fora; environmental and sustainable development reporting; accountability for action contrary to sustainable development; and the environmental implications of trade and investment agreements.

### 6.1 Debates, committees, enquiries, commissions and other public fora

Key actions that can be taken by legislators subject to relevant legal and constitutional requirements include the following:

- **Dialogue with institutions and officials** – Identify, and seek ongoing dialogue with, the government institutions and officials that are responsible for implementing the post-2015 global commitments concerning the environment and sustainable development.
- **Launch formal parliamentary processes** – Involving parliamentary colleagues, government and other stakeholders in a formal process, to define national action plans for achieving the Sustainable Development Goals, and implement the other post-2015 commitments concerning the environment and development in a coherent and convergent manner.
- **Establish coordinating committees or dialogues** – Involving parliamentary colleagues and representatives from multiple parts of government, to foster and secure whole-of-government approaches to decision-making about the environment and sustainable development. It is particularly important in this context to involve decision-makers with responsibilities concerning employment, infrastructure investment, natural resource-based industries, and the macro-economy.

### 6.2 Environmental and sustainable development reporting and planning

In order to implement the post-2015 commitments, countries will need to integrate their substance into national plans, sector strategies, foreign policies, budgets, etc.<sup>57</sup> This depends on regular reporting and planning.

In 2016, the IPU and UNDP published a Self-assessment Toolkit<sup>58</sup> intended for use by parliaments to assess their preparedness to engage with the SDGs, and identify additional strategies, mechanisms and partnerships to support their implementation. Many of the strategies and examples discussed in the Toolkit are directly relevant to environmental law-making and oversight for sustainable development, including coherent implementation of all post-2015 commitments.

Effective laws, policies, reporting, and planning concerning the environment and sustainable development all depend on the availability of relevant data, statistics and other evidence. This point is recognised in SDG Target 15.9, which calls on countries, by 2020, to ‘integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts’. It is also emphasised in SDG Target 17.19, which commits countries, by 2030, to ‘build on existing initiatives to develop measurements of progress on sustainable development that complement gross domestic product, and support statistical capacity-building in developing countries’. More than a decade of prior work by the UN Statistical Commission and others has produced technical standards that support delivery of these Targets. For present purposes the two key relevant standards are the :

<sup>57</sup> For further information see: [www.bond.org.uk/advocacy/sdgs](http://www.bond.org.uk/advocacy/sdgs).

<sup>58</sup> Available at [www.ipu.org/our-work/sustainable-development/sustainable-development-goals](http://www.ipu.org/our-work/sustainable-development/sustainable-development-goals).

- **Framework for the Development of Environment Statistics 2013** – a flexible, multi-purpose conceptual and statistical framework that defines the scope of environment statistics and provides and organising structure to guide the collection and compilation of environment statistics at the national level.<sup>59</sup>
- **System of Environmental-Economic Accounting 2012** – which contains internationally agreed standard concepts, definitions, classifications, accounting rules and tables for producing internationally comparable statistics on the environment and its relationship with the economy.<sup>60</sup> As illustrated in Figure 7 below, SEEA is specifically designed to integrate and inter-operate with national economic accounts (including GDP). It can consequently help decision-makers (particularly in economic and finance portfolios) to understand and account for relationships between natural capital assets (including ecosystems) and the economy. Efforts to implement SEEA are underway in more than 30 countries, and in the case of developing countries are supported by capacity building programmes coordinated by UN Agencies<sup>61</sup> and development banks.<sup>62</sup>

59 See: [unstats.un.org/unsd/envstats/fdes.cshtml](http://unstats.un.org/unsd/envstats/fdes.cshtml).

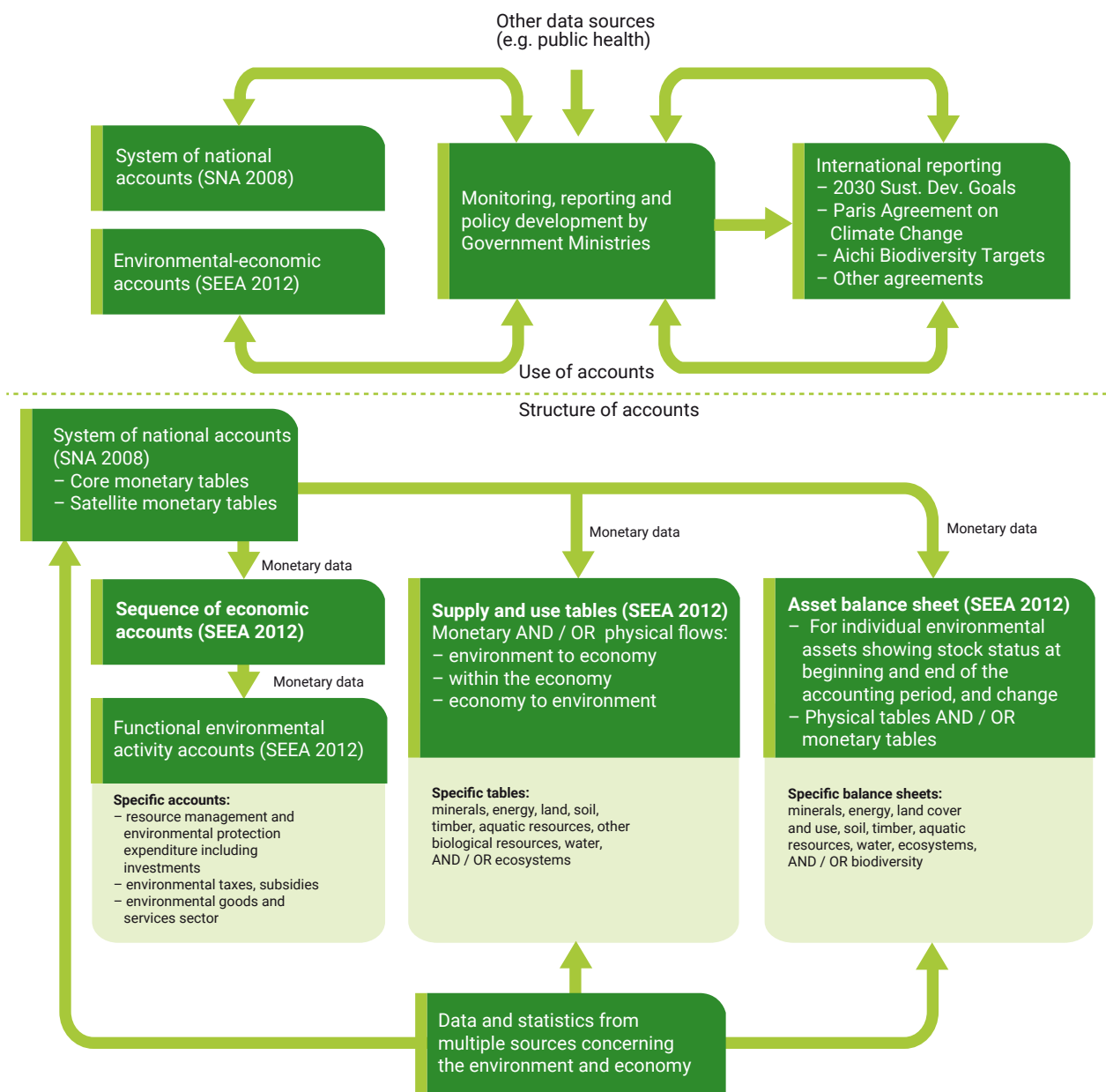
60 See: [unstats.un.org/unsd/envaccounting/default.asp](http://unstats.un.org/unsd/envaccounting/default.asp).

61 For example the UN Economic and Social Commission for Asia and the Pacific: [www.unescap.org/our-work/statistics](http://www.unescap.org/our-work/statistics).

62 For example the Partnership on Wealth Accounting and Valuation of Ecosystem Services: [www.wavespartnership.org](http://www.wavespartnership.org).



Figure 7: A national statistical infrastructure for sustainable development planning



### 6.3 Accountability for action contrary to sustainable development

Effective governance of the environment to achieve sustainable development objectives depends on decision-makers being held to account for action that might be contrary to those objectives. As recent changes in the United States powerfully demonstrate, environmental standards do not inevitably strengthen over time, and can be vulnerable to sudden changes in national politics that prioritise short term interests over long-term sustainable development.<sup>63</sup> Key accountability mechanisms that can be established or utilised by parliamentarians include the following:

<sup>63</sup> According to analysis by the New York Times, Harvard Law School, and Columbia Law School, more than 50 federal environmental rules or programmes have been overturned or are being rolled back by the Trump Administration—see: [www.nytimes.com/interactive/2017/10/05/climate/trump-environment-rules-reversed.html](http://www.nytimes.com/interactive/2017/10/05/climate/trump-environment-rules-reversed.html)



- **Justiciable rights to challenge environmental decisions that are contrary to sustainable development** — These have been utilised, for example, in: The Netherlands, where the District Court of The Hague ruled in 2015 that the national government was required to reduce greenhouse gas emissions by at least 25% by the end of 2020 (compared to 190 levels);<sup>64</sup> and India, where a 2014 order by the Supreme Court required the central government to establish a national environment regulator with offices in every state by March 31, 2014.<sup>65</sup> In January 2018, The City of New York filed suit in the US District Court seeking compensation from five oil companies on the basis that their sale of fossil fuels contributed to damaging impacts of climate change in New York City.<sup>66</sup>
- **Non-judicial settlement mechanisms for disputes concerning the environment and sustainable development** — Negotiation, mediation, arbitration or conciliation can, depending on the context, offer benefits in comparison to judicial dispute settlement: they can be less time-consuming, less expensive, increase access to justice, and encourage ownership over constructive and durable settlements. Legal frameworks have been established in a number of countries to provide alternative mechanisms settlement for environmental disputes. For example: Chapter 4 of South Africa's National Environmental Management Act of 1998 permits relevant government bodies to authorise the use of alternative dispute resolution mechanisms in the interest of fair decision-making and effective conflict management.<sup>67</sup> In Estonia, alternative dispute resolution agreements can be enforced under the Conciliation Act and Code of Civil Procedure, and this mechanism has been used to settle a number of disputes concerning environmental impacts of industrial development.<sup>68</sup>
- **Scrutiny of decision-making by independent bodies** — A number of countries have established independent public bodies to scrutinise executive decision-making concerning the environment and sustainable development. For example: In New Zealand, the Environment Act 1986 establishes the Parliamentary Commissioner for the Environment. The Commissioner has broad powers to investigate environmental concerns and reports to Parliament as a whole rather than the executive government.<sup>69</sup> In the United Kingdom, the Environmental Audit Committee of the House of Commons is tasked with considering the extent to which policies and programmes of government departments and other public bodies contribute to environmental protection and sustainable development. The Committee is also empowered to audit their performance against sustainable development and environmental protection targets.<sup>70</sup>
- **Recognition of constitutional rights and responsibilities concerning the environment and sustainable development** — A growing number of countries (70+) have embedded such rights in their national constitutions, establishing durable (although not always effectively justiciable) grounds to challenge government decision-making. For example: In Senegal, Article 8 of the Constitution guarantees to all citizens the 'right to a health environment', and recognises the rights of opposition parties in parliament to challenge government decision-making.<sup>71</sup>

64 See: [www.cigionline.org/sites/default/files/cigi\\_paper\\_79.pdf](http://www.cigionline.org/sites/default/files/cigi_paper_79.pdf).

65 See: [www.indiaenvironmentportal.org.in/content/386066/order-of-the-supreme-court-of-india-regarding-environmental-clearance-to-projects-06012014/](http://www.indiaenvironmentportal.org.in/content/386066/order-of-the-supreme-court-of-india-regarding-environmental-clearance-to-projects-06012014/).

66 See: [blogs2.law.columbia.edu/climate-change-litigation/wp-content/uploads/sites/16/case-documents/2018/20180109\\_docket-118-cv-00182\\_complaint.pdf](https://blogs2.law.columbia.edu/climate-change-litigation/wp-content/uploads/sites/16/case-documents/2018/20180109_docket-118-cv-00182_complaint.pdf). The City of New York's claims for compensation were based on public nuisance, private nuisance, and trespass.

67 See: [www.environment.gov.za/projectsprogrammes/environment\\_sectorconflict\\_disputeresolution](http://www.environment.gov.za/projectsprogrammes/environment_sectorconflict_disputeresolution); and [www.environment.gov.za/sites/default/files/docs/environmentalconflict\\_management.pdf](http://www.environment.gov.za/sites/default/files/docs/environmentalconflict_management.pdf)

68 See: [www.unece.org/fileadmin/DAM/env/pp/a.to.j/TF6-2013/4\\_Ruis\\_ADR.pdf](http://www.unece.org/fileadmin/DAM/env/pp/a.to.j/TF6-2013/4_Ruis_ADR.pdf)

69 See: <http://www.pce.parliament.nz>. Key functions and powers of the Commissioner include: review of government decision-making concerning resource amangement; regular reporting to Parliament; investigating the effectiveness of environmental planning and management by public authorities; advice to public authorities concerning remedial action; investigation and inquiry concerning environmental matters; collection and dissemination of information concerning the environment, including obtaining of information on a compulsory basis.

70 See: [www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/role/](http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/role/).

71 See: [www.constituteproject.org/constitution/Senegal\\_2009.pdf](http://www.constituteproject.org/constitution/Senegal_2009.pdf).



## 6.4 Environmental implications of trade and investment agreements

According to the UN Conference on Trade and Development, more than 3000 inter-state agreements concerning trade and investment have been concluded as of 2015.<sup>72</sup> Generally these agreements are designed to reduce tariffs and other barriers to international trade in goods and services, and/or ensure that states parties adhere to certain standards of treatment of foreign investors or investments. Many international investment agreements protect international investors by (1) obligating host countries to provide compensation for directly or indirectly expropriated assets, and/or (2) allowing foreign investors to settle disputes with host countries through compulsory and binding international arbitration. A widely held concern in several countries is that foreign investor protections in international investment agreements unduly constrain the ability of national governments to establish environmental laws and policies in the public interest. The prospect of an adverse award by an investment arbitration panel has been cited as an influential factor in several decisions by national government to abandon or change ostensibly public interest regulations concerning the environment and sustainable development.<sup>73</sup>

It is important in this context that parliamentarians devote close attention to the environmental and development implications of international agreements on trade and investment, to ensure that the balance of rights and obligations they contain remain compatible with the SDGs and other post-2015 commitments. Useful resources that can be used to support such efforts include the: OECD Policy Framework for Investment which was endorsed by the G20 in 2016,<sup>74</sup> and UNCTAD Core Principles of Investment Policymaking.<sup>75</sup> The Trade and Environment Database, maintained by the German Development Institute and Laval University, tracks more than 300 different environmental provisions relying on the full texts of about 630 trade agreements signed since 1945.<sup>76</sup>

---

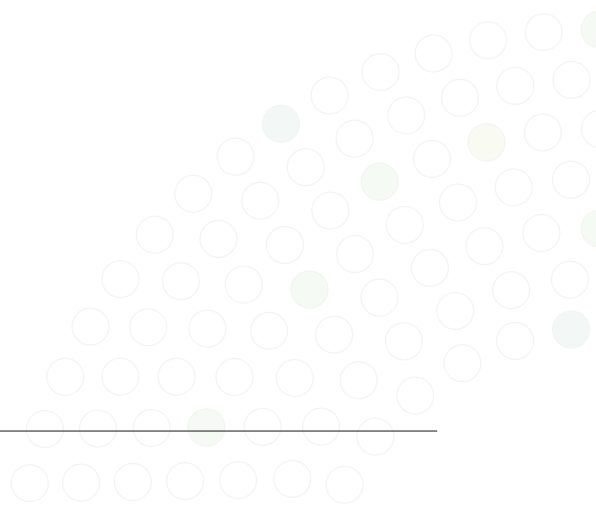
72 See: [unctad.org/en/PublicationsLibrary/wir2015\\_en.pdf](https://unctad.org/en/PublicationsLibrary/wir2015_en.pdf)

73 See: [doi.org/10.1016/j.ecolecon.2018.01.007](https://doi.org/10.1016/j.ecolecon.2018.01.007).

74 See: [www.oecd.org/investment/investment-policy/](https://www.oecd.org/investment/investment-policy/).

75 See: [investmentpolicyhub.unctad.org/ipfsd](https://investmentpolicyhub.unctad.org/ipfsd).

76 See: [klimalog.die-gdi.de/trend/index.html](https://klimalog.die-gdi.de/trend/index.html).



## 7. Allocating resources for environmental assets and governance

Many countries have constitutional structures that allow for parliaments and legislators to influence the allocation by financial, human and technical resources by governments. Successful management of the environment for development means maximising all available domestic resources to achieve the best possible results. Legislators can help achieve this outcome through a range of actions including the following:<sup>77</sup>

### 7.1 Fiscal and corporate scrutiny and reform

- **Interventions in national budget processes** – to ensure adequate investment in conservation, restoration or enhancement of environmental assets (in particular ecosystems) and in environmental governance.
- **Scrutiny of law- and policy-making concerning foreign investment** – to ensure that such investment is aligned with the Addis Ababa Action Agenda and other post-2015 commitments, and does not result in net loss of national wealth and wellbeing through adverse impacts on the environment or through excessive tax concessions to investors.
- **Championing of environmental fiscal reform** – including reforms to wasteful and environmentally damaging subsidies, and targeted taxation designed to internalise the environmental costs of economic activity and ensure that economic activity is compatible with the polluter-pays principle.
- **Championing of corporate sustainability** – including through public recognition of businesses that can demonstrate alignment of their activities with the post-2015 commitments, and support for efforts to develop transparent and rigorous corporate reporting for the environmental sustainability and sustainable development. The Natural Capital Protocol, Global Reporting Initiative, and Carbon Disclosure Project are illustrative examples of innovative progress towards corporate reporting frameworks.<sup>78</sup>

### 7.2 Justifying benefits of investment in environmental assets and governance

More economic sectors than many people realise depend on the environment. Beyond more obvious links with primary production sectors like agriculture, forestry and fisheries, ecosystems protect other sectors of the economy from natural hazards such as storms and flooding, regulate water quality, and mitigate risks to human health. Findings and consultations of The Economics of Ecosystems and Biodiversity Initiative (TEEB) indicate that allocations of more resources to the environment can be justified on several different grounds:<sup>79</sup>

- **Climate change mitigation and adaptation** – conservation, restoration or enhancement of forests and coastal ecosystems can be more cost-effective than other mitigation (e.g. industrial carbon capture) or adaptation (e.g. sea walls) measures.
- **Investment in critical or cost-effective infrastructure** – experience in a growing number of countries highlights how ecosystems can represent a cost-effective alternative, or necessary complement, to heavy infrastructure and technological solutions for problems like water purification, waste management, or hazard protection.
- **Socio-economic benefits of protected areas** – there is a strong case for managing and expanding protected areas, to maintain revenue from tourism, protect local employment and livelihoods, ensure food security, and maintain public health.
- **Returns on restoration of degraded ecosystems** – in several countries, ecosystem restoration is an emerging field of significant commercial opportunity, where initial investment in grasslands, rangelands, forests, and coastal ecosystems has yielded high returns for agricultural, forestry, tourism, and other sectors.

<sup>77</sup> See also: [www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf](http://www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf); [siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf](http://siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf).

<sup>78</sup> See: [www.cdp.net/en](http://www.cdp.net/en) (Carbon Disclosure Project); [naturalcapitalcoalition.org/protocol/](http://naturalcapitalcoalition.org/protocol/) (Natural Capital Protocol); and [www.globalreporting.org/Pages/default.aspx](http://www.globalreporting.org/Pages/default.aspx) (Global Reporting Initiative).

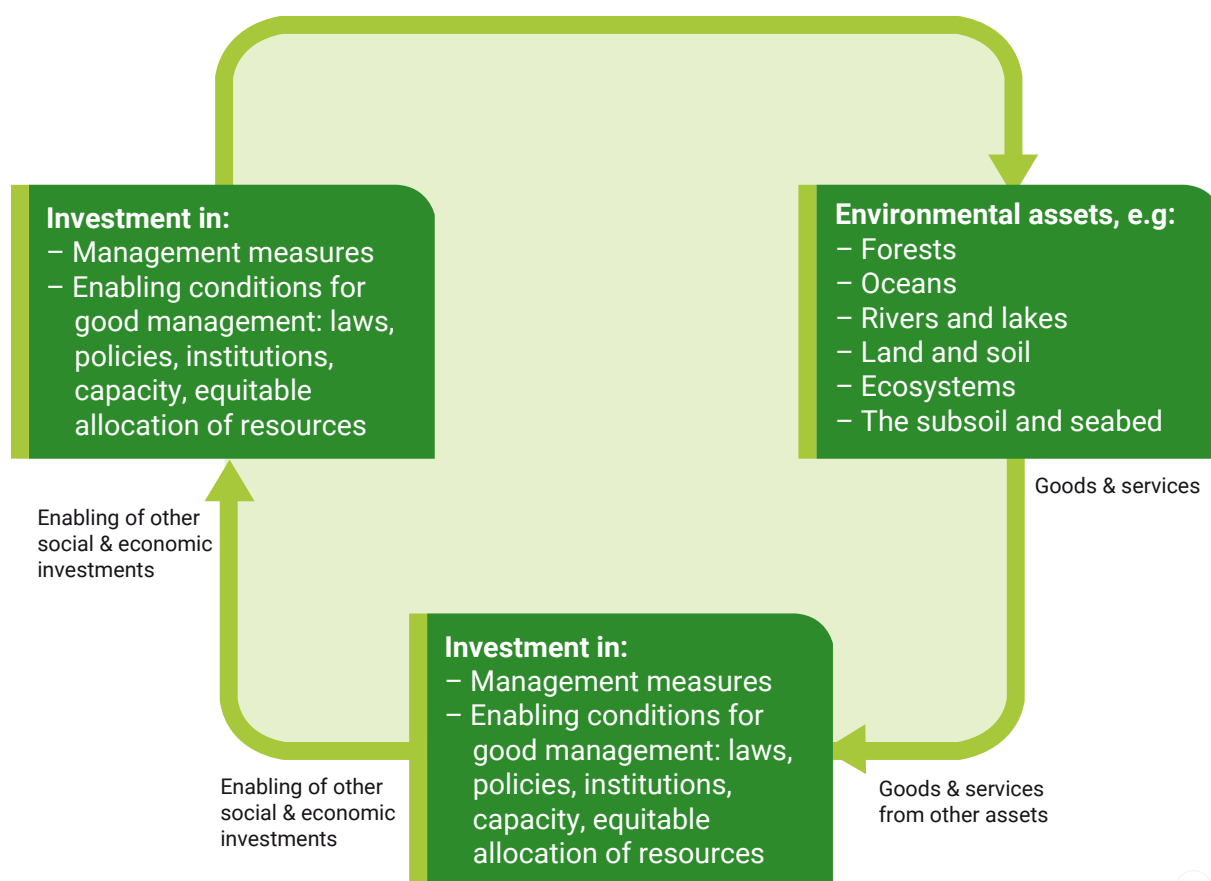
<sup>79</sup> For more information and specific examples see [www.teebweb.org](http://www.teebweb.org).



Beyond all of these justifications, legislators can also emphasise ethical and moral grounds for allocating more resources to environmental assets and governance – the environment should be maintained for future generations, and is an intrinsic component of our culture, spirituality and identity. Living things also enjoy a right to exist free of suffering that is independent of people.

There is now a wealth of scientific, economic and other information that can be used by legislators as a basis for justifying the importance of allocating more resources to environmental assets and governance. Key sources of information include the UNEP Global Environmental Outlook, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and TEEB.<sup>80</sup> Through the World Bank Partnership on Wealth Accounting and Valuation of Ecosystem Services and similar initiatives, more than 50 countries are starting to compile national datasets of information concerning links between the environment and sustainable development, which could be used by legislators as a basis for advocating for more investment.<sup>81</sup> Figure 8 below<sup>82</sup> presents a framework for organising this information in specific contexts, in a way that can help to demonstrate how investment (broadly defined) in certain environmental assets can yield improved flows of goods and services, which in turn contribute to development benefits that unlock additional resources for further investment.

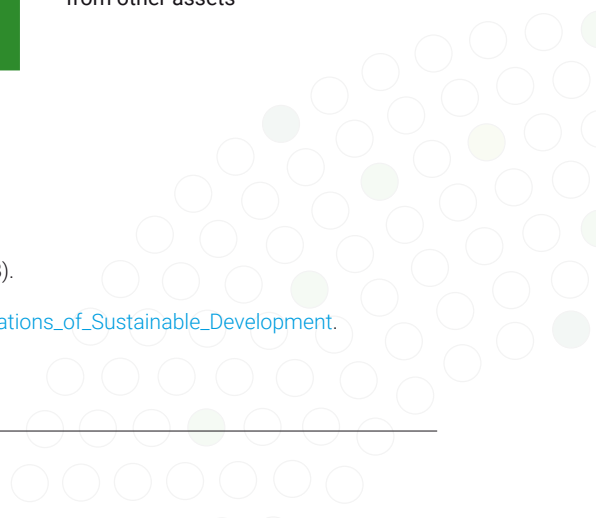
**Figure 8: A natural capital-based framework for investment in sustainable development**



80 See: [web.unep.org/geo/](http://web.unep.org/geo/) (UNEP GEO); [www.ipbes.net](http://www.ipbes.net) (IPBES); [www.teebweb.org](http://www.teebweb.org) (TEEB).

81 See: [www.wavespartnership.org](http://www.wavespartnership.org) and [unstats.un.org/sdgs/](http://unstats.un.org/sdgs/).

82 Figure adapted from: [www.researchgate.net/publication/307205479\\_The\\_Blue\\_Foundations\\_of\\_Sustainable\\_Development](http://www.researchgate.net/publication/307205479_The_Blue_Foundations_of_Sustainable_Development).



## 7.3 Examples of resource allocation for environmental assets and governance

There is growing evidence base of parliamentary and executive action that produces development benefits, through allocation of resources to environmental assets and governance. A range of illustrative examples are listed in Table 2 below.

**Table 2: Examples of resource allocation for environmental assets and governance**

Topic	Relevant countries	Summary information
Land and forest management	Costa Rica	Since 1996 Costa Rica has operated a nationalised 'payment for ecosystem services' programme, comprised of a range of economic and regulatory instruments including the National Forestry Fund (FONAFIFO). Since 1997 the programme has helped to conserve nearly one million hectares of forest by payments for protection, reforestation, sustainable management, and forest regeneration. Total forest cover in Costa Rica has returned to 50% of the country's land area, increasing from just 20% in the 1980s. <sup>83</sup>
Marine resources management	Seychelles	In 2016 the Government of Seychelles and Paris Club agreed to convert a portion of the country's foreign debt into a USD22million investment designed to enable conservation and climate adaptation goals through implementation of a comprehensive marine spatial plan and protected area designations. They endowment is managed by the Seychelles Conservation and Climate Adaptation Trust, which when fully capitalised is expected to pay out USD\$600,000 per year to fund ongoing marine resources management activities. <sup>84</sup>
Green economy and land management	Nigeria	In 2017 the Government of Nigeria issued a pilot ~USD30 million 'green bond' which was certified against relevant standards by Moody's, DNV GL and the Climate Bonds Initiative. The pilot forms part of a much larger planned green bond program administrated by the Ministry of Environment, supported by the World Bank, IFC, African Development Bank, UNEP and others. Funds raised will support a range of renewable energy, afforestation, and environmental projects. <sup>85</sup>
Resource efficiency	Japan	Introduced in 1999 in accordance with the Rational Use of Energy Act, the Top Runner Programme is a set of energy efficiency standards for more than 20 energy intensive product categories, including home appliances and motor vehicles. The Programme involves setting of energy efficiency targets to be achieved within a defined number of years, based on the most efficient product sold on the market. Products that meet the standard receive a Top Runner label at point of sale, encouraging private sector competition to achieve the distinction of being Japan's 'Top Runner'. <sup>86</sup>
Land and forest management	African Union	Launched in 2007, The African Union's 'Great Green Wall' of the Sahara and the Sahel Initiative brings together more than 20 countries from the region, supported by the European Union, World Bank, UN agencies and others. The Initiative aims to restore 100 million hectares of currently degraded land through afforestation and other measures, creating an 8000km of vegetated land that would represent the largest living structure on Earth. <sup>87</sup>

83 See: [pubs.iied.org/pdfs/16514IIED.pdf](https://pubs.iied.org/pdfs/16514IIED.pdf)

84 See: [www.nature.org/ourinitiatives/regions/africa/wherewework/seychelles.xml](http://www.nature.org/ourinitiatives/regions/africa/wherewework/seychelles.xml)

85 See: [www.climatebonds.net/2017/12/nigeria-issues-climate-bonds-certified-sovereign-green-bond-signals-more-come-part-paris](http://www.climatebonds.net/2017/12/nigeria-issues-climate-bonds-certified-sovereign-green-bond-signals-more-come-part-paris)

86 See: [www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/](http://www.futurepolicy.org/ecologically-intelligent-design/japans-top-runner-programme/)

87 See: [www2.unccd.int/actions/great-green-wall-initiative](http://www2.unccd.int/actions/great-green-wall-initiative)



## 8. Building collaborations, contacts and capacity

This Section discusses options and opportunities available to legislators, for building: collaborations between different stakeholders, contacts with international colleagues, and capacity building partnerships to support environmental law-making for sustainable development.

### 8.1 National, regional and global networks

In comparison to other actors, legislators in many countries have significant convening power, which can be used to establish partnerships between stakeholders from the public and private sectors, and with civil society. The World Parliamentary Forum on Sustainable Development, hosted in 2017 by the Indonesian House of Representatives and involving stakeholders from 49 countries, is an illustrative example of how legislative convening power can be used to establish partnerships and consensus building concerning environmental law-making and sustainable development.<sup>88</sup>

### 8.2 Accessing legislative capacity development

For developing countries, a wide range of capacity building support is available from bilateral governmental donors; international non-government organisations; and inter-governmental institutions such as the UN Regional Economic Commissions, UNDP, UNEP, Global Environment Facility, and the relevant development banks. Key actions that legislators can take to ensure effective support for parliamentary activities include:

- (1) **Formal and informal dialogue with development partners** – to match capacity building support with relevant needs, and to ensure that parliamentary activities, law-making and oversight are mainstreamed as appropriate across development projects.
- (2) **Championing of coherent national priority setting and communication** – in many countries a wide range of development partners pursue their own institutional priorities and do not always collaborate effectively with one another, creating additional burdens for government institutions and contributing to the fragmentation of national laws and policymaking. Legislators can perform the crucial functions of convening and championing national efforts to develop integrated national strategies and priority statements concerning the environment; and communicating these across a wide range of international development partners.

### 8.3 Examples of collaboration and capacity building

In addition to GLOBE, there is a growing range of parliamentary collaboration and capacity building focused specifically on environmental law-making and oversight for sustainable development. Legislators are encouraged learn more about, and contribute to, these initiatives. Illustrative examples are listed in Table 3 below.

<sup>88</sup> See: [ksap.dpr.go.id/pfsd2017/](https://ksap.dpr.go.id/pfsd2017/), including Declaration on “Achieving the 2030 Agenda through Inclusive Development”.



**Table 3: Examples of parliamentary collaboration and capacity building**

Topic	Relevant countries	Summary information
Environmental policy and legislation	Senegal	The Network of Parliamentarians for the Protection of the Environment in Senegal (REPES) was established in 1996 with ongoing support from the International Union for Conservation of Nature. REPES aims to provide a forum for reflection and action, and a framework for consultation and exchange between parliamentarians, and with other partners at local, national and global levels. <sup>89</sup>
Environment and sustainable development	Central America	The Central American Commission for Environment and Development was established by 8 countries from the region, in order to foster cooperation and environmental integration that contributes to improving people's quality of life. The Commission's Council of Ministers have agreed to formulate a Regional Environmental Strategy for 2015–2020. <sup>90</sup>
Forest management	Central Africa	The Parliamentarians' Network for Sustainable Management of Central African Forest Ecosystems (REPAR) is a member of the Congo Basin Forest Partnership, and was established to support the participation of parliamentarians in the conservation, sustainable and beneficial management of forests in Central Africa. <sup>91</sup>
Sustainable development	Global	The Inter-Parliamentary Union organises regular meetings in parallel to relevant UN conferences on climate change and sustainable development. In 2016, IPU members adopted a Parliamentary Action Plan on Climate Change. <sup>92</sup> The IPU has also published a self-assessment toolkit designed to support legislative and parliamentary efforts to implement the Sustainable Development Goals. <sup>93</sup>
ASEAN Inter-Parliamentary Assembly	ASEAN	AIPA was established to contribute to the goals and objectives of Association of Southeast Asian Nations through inter-parliamentary cooperation, including cooperation concerning environmental issues. <sup>94</sup>
Asia-Pacific Parliamentarians Conference on Environment and Development	Asia-Pacific	APPCED is a regular conference of parliamentarians committed to working together to contribute to sustainable development in the Asia-Pacific, including at international and sub-regional levels. The Conference General Assembly adopts Declarations on relevant topics, including the 2016 Seoul Declaration on the SDGs and International Development. <sup>95</sup>
Commonwealth Parliamentary Association and Regional Associations	Commonwealth	The CPA aims to develop, promote and support parliamentarians and their staff to identify benchmarks of good governance (including those relevant to the environment and sustainable development) and to implement the values of the Commonwealth. <sup>96</sup>
Euro-Latin American Parliamentary Assembly	EU, Latin America	EuroLat was established in 2006, and is a multilateral parliamentary assembly composed of 150 members—75 from the European Parliament and 75 from Latin American regional and national parliaments. It's work is organised under four Standing Committees, one of which focuses on "Sustainable Development, the Environment, Energy Policy, Research, Innovation and Technology". <sup>97</sup>
Nordic Council	Nordic Countries	The Nordic Council is the official body for formal inter-parliamentary cooperation in the region. It is comprised of 87 members from Denmark, Finland, Iceland, Norway, Sweden, the Faroe islands, Greenland and Åland. The Council's work is organised into several Committees, including the "Committee for a Sustainable Nordic Region". <sup>98</sup>

89 See: [www.repes.org/](http://www.repes.org/).

90 See: [www.sica.int/](http://www.sica.int/).

91 See: [pfb-cbfp.org/repar.html](http://pfb-cbfp.org/repar.html).

92 See: [www.ipu.org/our-work/sustainable-development/healthy-planet](http://www.ipu.org/our-work/sustainable-development/healthy-planet)

93 See: [www.ipu.org/our-work/sustainable-development/sustainable-development-goals](http://www.ipu.org/our-work/sustainable-development/sustainable-development-goals)

94 See: [www.aipasecretariat.org/webassets/pdf/18.pdf](http://www.aipasecretariat.org/webassets/pdf/18.pdf).

95 See: [www.ippf.org/news/announcements/seoul-declaration-18th-general-assembly-appced](http://www.ippf.org/news/announcements/seoul-declaration-18th-general-assembly-appced)

96 See: [www.cpahq.org/cpahq/](http://www.cpahq.org/cpahq/).

97 See: [www.europarl.europa.eu/intcoop/eurolat/key\\_documents/flyer\\_eurolat\\_en.pdf](http://www.europarl.europa.eu/intcoop/eurolat/key_documents/flyer_eurolat_en.pdf).

98 See: <http://www.norden.org/en/nordic-council/organisation-and-structure/committees>.



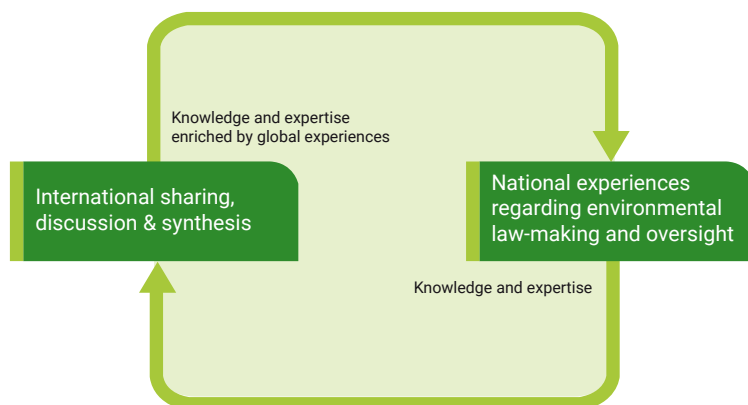
## 9. Key actions and next steps

National environmental law-making and oversight for sustainable development is an essential component of 'bringing home' the post-2015 commitments and transforming them from aspirations to practical action. Whilst the importance of the SDGs, Paris Agreement, Addis Ababa Action Agenda, Sendai Framework and Aichi Targets is now widely recognised in general terms, the specific challenges and opportunities that arise from their implementation by parliaments and other institutions are not yet well understood. In this context there is an urgent need to improve partnerships and the global knowledge exchange concerning environmental law-making and oversight for sustainable development. This Guide represents a small contribution towards this goal—many more are needed.

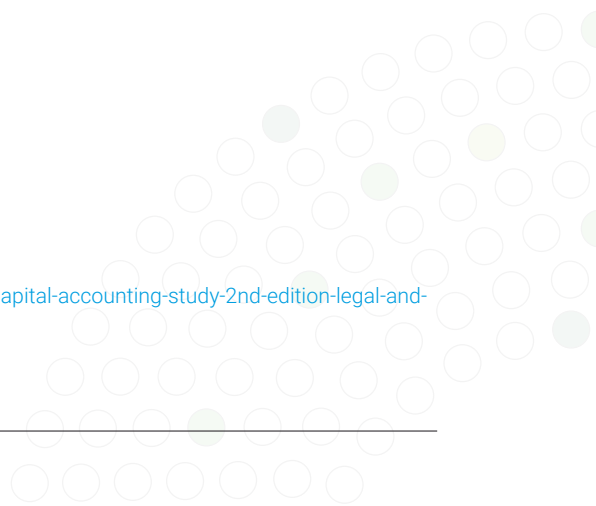
The Guide has highlighted guiding principles and examples drawn from around the world that are relevant to: national environmental law-making for sustainable development including implementation of the post-2015 commitments; guiding and oversight of government decision-making; the allocation of resources for environmental assets and governance; and building of collaborations, contacts and capacity for parliaments and other institutions. A wealth of knowledge and expertise concerning these topics, and many other topics relevant to the daily work of legislators, exist in the collective experience of experts, institutions, communities, parliaments and governments around the world. However, much of this knowledge and expertise remains isolated in specific countries and contexts.

As Figure 9 illustrates,<sup>99</sup> international sharing, discussion and synthesis of law-making and oversight experiences enables all participating countries to benefit from the global collective experience. As a contribution to this goal, interested legislators and other stakeholders are encouraged to provide feedback according to the details listed in Appendix 2 below.

**Figure 9: Benefits of sharing experiences of environmental law-making and oversight**



<sup>99</sup> Figure adapted from: [www.wavespartnership.org/en/knowledge-center/globe-natural-capital-accounting-study-2nd-edition-legal-and-policy-developments](http://www.wavespartnership.org/en/knowledge-center/globe-natural-capital-accounting-study-2nd-edition-legal-and-policy-developments)

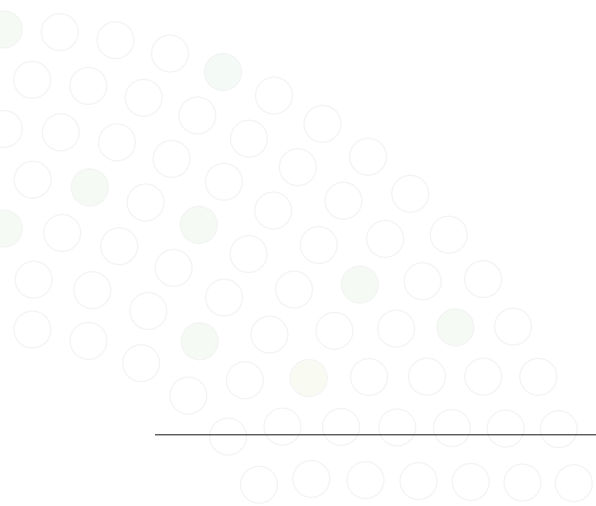




Beyond international sharing of experiences, the range of options and guidance presented in this document can be summarised in terms of six immediate actions that interested legislators can take, to advance law-making and oversight for sustainable development both in their home countries and globally:

1. Learn about the Sustainable Development Goals, Paris Agreement on Climate Change, Sendai Framework for Disaster Risk Reduction, Aichi Biodiversity Targets and other important 'post-2015' global commitments concerning the environment and sustainable development.
2. Identify, and engage with, the governmental institutions and officials that are responsible for implementing the post-2015 global commitments concerning the environment and sustainable development.
3. Request official reports or testimony from government institutions and officials, on plans and progress towards implementation of the post-2015 global commitments concerning the environment and sustainable development. Call on parliament to endorse or reaffirm commitments to the post-2015 commitments, and develop evidence-based strategies for effective national implementation.
4. Ensure that legislation and parliamentary decisions across all topic areas, recognise the valuable, and sometimes irreplaceable, contributions of the environment to human wellbeing and development. Review the alignment between national legislation and policies and the post-2015 global commitments concerning the environment and sustainable development.
5. Ensure that national budgets allocate sufficient resources to governance of the environment, recognising its role as valuable national asset and the foundation of human health, wealth and wellbeing.
6. Convene or support inclusive platforms for engagement with civil society, business, cities, local governments, academia, indigenous peoples, and marginalised communities and groups—to keep public focus on the environment and delivery of the post-2015 global commitments.

Sustained efforts by legislators to take such action will make a substantial and essential contribution to achieving the post-2015 commitments on environment and sustainable development, thereby building a better world by 2030.





## Appendix 1: Detailed reference materials

### The new era and challenge of sustainable development

Ellen Macarthur Foundation (focusing on circular economy): [www.ellenmacarthurfoundation.org](http://www.ellenmacarthurfoundation.org)

Green Economy Coalition: [www.greeneconomycoalition.org](http://www.greeneconomycoalition.org)

Green Growth Knowledge Platform: [www.greengrowthknowledge.org](http://www.greengrowthknowledge.org)

Intergovernmental Panel on Climate Change: [www.ipcc.ch](http://www.ipcc.ch)

Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services: [www.ipbes.net](http://www.ipbes.net)

Millennium Ecosystem Assessment: [www.millenniumassessment.org/](http://www.millenniumassessment.org/)

Oxford Martin Commission on Future Generations: [www.oxfordmartin.ox.ac.uk/policy/commission/](http://www.oxfordmartin.ox.ac.uk/policy/commission/)

The Economics of Ecosystems and Biodiversity Initiative: [www.teebweb.org](http://www.teebweb.org)

UN Environment Global Environmental Outlook: [web.unep.org/geo/](http://web.unep.org/geo/)

UN Environment International Resource Panel: [www.resourcepanel.org](http://www.resourcepanel.org)

World Business Council for Sustainable Development: [www.wbcsd.org](http://www.wbcsd.org)

### Global commitments concerning the environment and development

Secretariat of the UN Framework Convention on Climate Change: <https://cop23.unfccc.int>

Text of the 2030 Agenda for Sustainable Development, Addis Ababa Action Agenda, and other detailed reference materials: [sustainabledevelopment.un.org/](http://sustainabledevelopment.un.org/)

Secretariat of the Convention on Biological Diversity: <https://www.cbd.int>

Text and detailed reference materials concerning the Sendai Framework on Disaster Risk Reduction <http://www.unisdr.org/we/coordinate/sendai-framework>

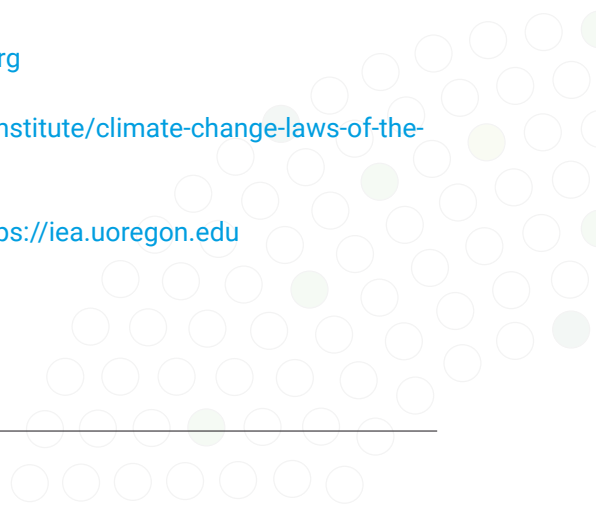
### Environmental law-making for sustainable development

Ecolex database of environmental legislation: [www.ecolex.org](http://www.ecolex.org)

World Legal Information Institute database of legislation: [www.worldlii.org](http://www.worldlii.org)

Climate Change Laws of the World database: [www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/](http://www.lse.ac.uk/GranthamInstitute/climate-change-laws-of-the-world/)

Global Legislators Organisation Study on Natural Capital Accounting: <https://iea.uoregon.edu>



## Guiding and oversight of government decision-making

Carbon Disclosure Project: [www.cdp.net/en](http://www.cdp.net/en)

Global Reporting Initiative: [www.globalreporting.org/Pages/default.aspx](http://www.globalreporting.org/Pages/default.aspx)

International Development Law Organisation: [www.idlo.int/what-we-do/list-initiatives](http://www.idlo.int/what-we-do/list-initiatives)

OECD publications on biodiversity mainstreaming: [www.oecd.org/environment/resources/mainstreamingbiodiversity.htm](http://www.oecd.org/environment/resources/mainstreamingbiodiversity.htm)

UN Framework for Development of Environmental Statistics: [unstats.un.org/unsd/envstats/fdes.cshtml](http://unstats.un.org/unsd/envstats/fdes.cshtml)

UN Poverty and Environment Initiative: [www.unpei.org](http://www.unpei.org)

UN Statistical Commission materials on the Sustainable Development Goals: [unstats.un.org/sdgs/](http://unstats.un.org/sdgs/)

UN System for Environmental-Economic Accounting: [unstats.un.org/unsd/envaccounting/default.asp](http://unstats.un.org/unsd/envaccounting/default.asp)

## Allocating resources for environmental assets and governance

Natural Capital Coalition: [naturalcapitalcoalition.org](http://naturalcapitalcoalition.org)

OECD publication on environmental fiscal reform: [www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf](http://www.oecd.org/tax/tax-policy/environmental-fiscal-reform-G7-environment-ministerial-meeting-june-2017.pdf)

World Bank Partnership on Wealth Accounting and Valuation of Ecosystem Services: [www.wavespartnership.org](http://www.wavespartnership.org)

World Bank publication on environmental fiscal reform: [siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf](http://siteresources.worldbank.org/INTRANETENVIRONMENT/Publications/20712869/EnvFiscalReform.pdf)

## Building collaborations, contacts and capacity

ACP–EU Joint Parliamentary Assembly: [www.europarl.europa.eu/intcoop/acp/10\\_01/default\\_en.htm](http://www.europarl.europa.eu/intcoop/acp/10_01/default_en.htm)

Andean Parliament: [parlamentoandino.org](http://parlamentoandino.org)

ASEAN Inter-Parliamentary Assembly: [www.aipasecretariat.org/report/detail/163/4](http://www.aipasecretariat.org/report/detail/163/4)

Commonwealth Parliamentary Association: [www.cpahq.org/cpahq/](http://www.cpahq.org/cpahq/)

Global Legislators Organisation: [globelegislators.org](http://globelegislators.org)

Inter-Parliamentary Union: [www.ipu.org](http://www.ipu.org)



## Appendix 2: Questionnaire for legislators and colleagues

*“There is no ‘Plan B’ because we do not have a ‘Planet B’. We have to work and galvanise our action.”*

Ban Ki-Moon, UN Secretary General, Comment at People’s Climate March, 21.09.2014

2015 was a historic year for global efforts to achieve sustainable development, where the international community came together to agree on a set of transformative ‘post-2015’ commitments: the 17 Sustainable Development Goals, Paris Agreement on Climate Change, Addis Ababa Action Agenda on Finance for Sustainable Development, and the Sendai Framework for Disaster Risk Reduction.

In March 2018, the Global Legislators Organisation and United Nations Environment Programme published a first version of *Environmental Law-making for Sustainable Development: A Guide for Legislators*. This Guide is designed to support the efforts of national legislators and parliamentarians to: craft environmental laws that support delivery of the post-2015 global commitments, guide and scrutinise government decision-making concerning sustainable development, allocate sufficient resources for environmental assets and governance, and build effective partnerships with diverse stakeholders.

The structure and content of the Guide was based on comments received from seven countries by legislators, legislative officials and subject matter experts. To support efforts to prepare future versions of the Guide, GLOBE and UN Environment welcome brief or detailed responses to the questions listed below.

- What specific topics should be included in future versions of this Guide?
- Would you recommend any changes or additions to the topics currently included in this Guide?
- What examples of legislative and parliamentary best practice do you think should be included in future versions of this Guide?
- Which organisations and individuals should GLOBE and UN Environment consult for feedback concerning the Guide?

Please submit your answers to the above guiding questions, or any other written feedback or examples, to one or both of the following members of the lead author group:

- Ben Milligan, Centre for Law and Environment, University College London ([me@ben-milligan.com](mailto:me@ben-milligan.com)).
- Malini Mehra, Chief Executive Officer, GLOBE International Secretariat ([malini.mehra@globelegislators.org](mailto:malini.mehra@globelegislators.org)).

GLOBE and UN Environment would like to publicly acknowledge any contributions to the Guide by listing the names and professional titles of contributors. If you do not wish to be credited in this manner, please advise us of this. All information provided will be considered confidential, unless clearly indicated otherwise.

