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Meeting of the Group of Friends of the Co-chairs for the Montevideo Programme for the Development and Periodic Review of Environmental Law

Nairobi, Kenya, 26-28 November 2018

Co-Chairs' Summary (Un-edited version)

I. Opening and organizational matters

1. The meeting was opened at 9 a.m. on 26 November 2018 by Ms. Elizabeth Maruma Mrema, Director of the Law Division of the United Nations Environment Programme. Mr. Timothy R. Epp of the United States of America and Mr. Marcelo Cousillas of Uruguay presided as co-chairs of the meeting. Ms. Kunzang of the Kingdom of Bhutan presided as rapporteur.
2. The key purpose of the meeting was to discuss and endorse the content of the secretariat's proposal for the work of the UN Environment Programme in the area of environmental law for a specific period beginning in 2020, to be submitted for consideration by the United Nations Environment Assembly at its fourth session in March 2019.
3. As identified at the First Global Meeting of National Focal Points for the Montevideo Programme for the Development and Periodic Review of Environmental Law held in Geneva in September 2018, the group of friends of the co-chairs included the following: Bhutan, Cameroon, Chile, China, Ethiopia, European Union, Iran, Jamaica, Japan, Jordan, Kenya, Mexico, Suriname, Syria, Switzerland, Uganda, United Kingdom, Uruguay, USA, and Zambia. Jordan and the United Kingdom were not able to be physically present at the meeting. Canada participated in the meeting, together with representatives from civil society and academia.

II. Presentation and discussion of a draft proposal for the work of the UN Environment Programme in the area of environmental law for a specific period beginning in 2020

4. The secretariat introduced the draft proposal for the work of the UN Environment Programme in the area of environmental law for a specific period beginning in 2020, proposed to be called 'Montevideo V'. In introducing the draft proposal, the secretariat presented Montevideo V as a ten-year intergovernmental programme designed to guide the identification and implementation of priority actions in the field of environmental law. It outlined a strengthened focus in Montevideo V in supporting Member States at the national level in the development and implementation of environmental law. It also presented proposals for strengthening the governance of the Montevideo programme, including through a strengthened network of national focal points to ensure a more country-driven programme.
5. Participants welcomed the draft and gave detailed comments and suggestions to refine and strengthen the Montevideo V proposal. Key messages included, amongst others, that Montevideo V should have:
 - (a) a vision that promotes the development and implementation of environmental rule of law, strengthens the related capacity in countries and contributes to the environmental dimension of the 2030 Agenda;
 - (b) clearly defined objectives, including support for capacity building, and support for the development and implementation of environmental law at all levels;
 - (c) clear strategic activity areas, including the provision of practical guidance tools, information exchange, promotion of the recognition of the mutually reinforcing relationship between environmental law and the three pillars of the Charter of the United Nations, collaboration and promotion of partnerships, education on environmental law, awareness-raising initiatives, amongst others;
 - (d) clear implementation guidelines, including the need to respond to country needs and priorities, be results-orientated, promote synergies and partnerships, be grounded in science and best practices and available data, and be consistent with the 2030 Agenda for Sustainable Development and relevant resolutions and decisions of the United Nations Environment Assembly, as well as having due regard to nationally determined priorities and relevant resolutions and decisions of other UN bodies, and other multilateral, including regional, environmental processes; and
 - (e) clear institutional arrangements, including a mandate for the United Nations Environment Programme to undertake key activities and effectively implement Montevideo V; a clearer and strengthened system of national focal points, a steering committee for implementation, and assistance for implementation.
6. Some participants suggested that reference to the establishment of a trust fund to support implementation be explicitly included in a proposed resolution for consideration by the fourth session of the United Nations Environment Assembly.

III. Outcome of the meeting

7. At the end of the meeting, participants agreed a revised version of the secretariat's proposal to be submitted for consideration by the fourth session of the United Nations Environment Assembly. Participants agreed that the revised version would be circulated to participants following formatting and editing by the secretariat. The revised proposal is annexed to this co-chair's summary.
8. The meeting ended at 9:24 p.m. on 28 November 2018.