

**Fifth Montevideo Environmental Law Programme Regional Meeting and
Third ASEAN Environmental Law Conference**
August 15-18, 2023 | Hybrid Conference
United Nations Convention Centre | Bangkok, Thailand

Theme

The Future of Environmental Law in ASEAN and Beyond

Background

Regional environmental law issues sit within a broader context of global environmental challenges that require both regional and global governance solutions. In March 2019, the UN Environment Assembly adopted the [Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law \(Montevideo V\)](#). Montevideo V is a ten-year intergovernmental programme running from January 2020 to December 2029. UNEP is the Secretariat of the programme. The objectives of Montevideo V include supporting the development and implementation of adequate and effective environmental legislation and legal frameworks to address environmental issues and the promotion of the role of environmental law in the context of effective environmental governance.

ASEAN faces many pressing environmental and social challenges that require multi-layered and innovative responses. The Fifth Montevideo Environmental Law Programme Regional Meeting and third ASEAN Environmental Law Conference aims to bring together Asia Pacific and ASEAN experts to share stories of successes and failures and examine potential legal, policy, and community-based actions to transform the principles of environmental law into practice.

The Third ASEAN Environmental Law Conference also builds on the momentum from previous ASEAN environmental law conferences. In January 2021, the first ASEAN Environmental Law Conference, with the theme "*Stories and Solutions in Challenging Times*," connected over 1,200 participants and presenters online. The second ASEAN Environmental Law Conference was held in April 2022 with the theme of "*Transforming Principles into Practice*." That event brought together 1,680 attendees for fifteen sessions over three days.

The past conferences were organised by the Asian Research Institute for Environmental Law (ARIEL) with the Asian Development Bank (ADB) and the United Nations Environment Programme. They were supported by other partner institutions such as the College of Law (Australia), USAID, EarthRights International, the Global Judicial Institute on the Environment, the Indonesian Centre for Environmental Law, the International Union for Conservation of Nature, - World Commission on Environmental Law, LAWASIA, LexisNexis, and Macquarie University Centre for Environmental Law (and others)

To continue fostering networks and collaborative approaches to environmental problem-solving through strengthened environmental rule of law, the event will bring together experts and stakeholders to join in the conference with the theme "The Future of Environmental Law in ASEAN and beyond."

Goal and Objectives

The objective of the Conference is to exchange stories from the region to identify actions to address major environmental issues through environmental rule of law. Specifically, it seeks to:

1. Identify potential legal responses to combat the climate and biodiversity crisis
2. Support the network of environmental lawyers and environmental activists through exchange of knowledge and best practices;
3. Identify possible solutions and action to address environmental issues;
4. Catalyse action on these action plans through collaborative approaches and increased networking.

The conference will be held over four days, spanning the following key issues:

- *Biodiversity*
- *Climate Change*
- *Pollution*
- *Environmental Legal Education*
- *Public Interest Environmental Law*
- *Environmental Human Rights Defenders*
- *ASEAN Environmental Rights Framework*

Tentative Agenda

<u>Day 1 Tuesday, August 15</u>	
1.00 - 1.30	<i>Opening Session and Welcome CR - 4</i>
1:30 - 3:00	<i>Leveraging the Montevideo Programme - Environmental Law Clinics in SE Asia CR - 4</i> <i>To advance environmental rule of law it is fundamental to provide access to justice. Environmental law clinics not only inspire the next generation of environmental lawyers, future judges and decision makers while building didactic and experiential skills, but also increase access to information and justice in environmental matters. Environmental law clinics can provide essential services to the community, in particular to groups in vulnerable situations, on environmental concerns, environmental law and environmental rights. As such, environmental law clinics can support communities to address and seek redress for environmental harm that is impacting them. This session will explore the potential for building a network of environmental law clinics in Asia Pacific and ways in which clinics have successfully advanced environmental rule of law through a range of activities.</i>
3:00 - 3:30	<i>Break</i>
3:30 - 5:00	<i>Montevideo Closed Door Meeting of National Focal Points Meeting Room A (closed session)</i> <i>Environmental Law Student Actions - Youth Climate Justice CR-4</i>

Day 2 Wednesday, August 16

9:00 - 10:00	<p><i>Plenary Session: Keynote Presentation - Montevideo Environmental Law Programme in Asia Pacific</i> CR-4</p>	
10:00 - 10:30	<p><i>Break</i></p>	
10:30 - 10:50	<p><i>Session 1A Legal responses to combat the climate crisis - Leveraging the Montevideo Programme</i></p> <p><i>This session will include interactive discussion on priority areas for legal responses to address climate change that would strengthen, develop or implement appropriate legal and institutional frameworks at the national or subnational level and build the related capacity to mitigate and adapt to climate change across Asia Pacific. Such responses may be delivered through the ten-year intergovernmental programme on promoting and implementing environmental rule of law, running from January 2020 to December 2029 adopted by the UN Environment Assembly - known as the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Environmental Law Programme).</i></p> <p>CR -4</p>	
10:50 - 12:00	<p><i>Breakout for interactive discussions</i> CR-4</p>	<p><i>Breakout for interactive discussions</i> Meeting Room A</p>
12:00 - 1:30	<p><i>Lunch</i></p>	
1:30 - 2:00	<p><i>Session 2A Legal responses to combat the biodiversity crisis - Leveraging the Montevideo Programme</i> CR 4</p> <p><i>This session will include interactive discussion on priority areas to strengthen, develop or implement appropriate legal and institutional frameworks at the national or subnational level to implement biodiversity related goals and commitments. Such responses may be delivered through the ten-year intergovernmental programme on promoting and implementing environmental rule of law, running from January 2020 to December 2029 adopted by the UN Environment Assembly - known as the Fifth Montevideo Programme for the</i></p>	

	<i>Development and Periodic Review of Environmental Law (Montevideo Environmental Law Programme).</i>	
2:00 - 3:00	<i>Breakout for interactive discussions CR 4</i>	<i>Breakout for interactive discussions Meeting Room A</i>
3:00 - 3:30	<i>Break</i>	
3:30 - 4:30	<p>Session 3A <i>Strengthening Partnerships for the Delivery of the Montevideo Programme V</i> CR 4</p> <p><i>Strong, multi-stakeholder partnerships are crucial to the success of the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law. UNEP will continue working with various partners who are focusing on similar environmental law related activities to deliver on Montevideo Programme V. The strengthening of Partnerships will include engaging partners in the field of environmental law to plan and organize activities that can contribute to the delivery of Montevideo Programme V together; and to agree on joint initiatives and to share costs for delivering of activities. This session may showcase how UNEP is already working with partners to deliver on the Montevideo Programme V and will provide space for interactive discussion on the potential for stakeholder collaboration to increase the scale of impact.</i></p>	
4:30 - 5:00	<i>Plenary CR -4</i>	
5:00 - 6:00	<i>Networking and Launch of the Intermediate Course on Environmental Adjudication: upholding environmental justice in Asia Pacific Asia Pacific Foyer</i>	

Day 3 Thursday, August 17

9:00 - 10:00	<i>Plenary Session: Keynote Presentation Enhancing access to environmental information, public participation in environmental decision-making and access to justice in environmental matters, in particular for vulnerable groups.</i> CR-4	
10:00 - 10:30	<i>Break</i>	
10:30 - 12:00	<i>Session 4A Public Interest Environmental Law - Air Pollution</i> CR-4 <i>This session aims to address the urgent need for legal measures to mitigate air pollution in ASEAN. The discussion will explore innovative legal strategies, regulatory and policy frameworks, as well as community-based initiatives which promote sustainable practices for better air quality; thereby ensuring environmental justice for all. The session will look into the intersection of law, policy and public advocacy to uphold the right to clean air in ASEAN.</i>	<i>Session 4B Ocean Equity Meeting Room A</i> <i>This session seeks to address the pressing issues surrounding the oceans, including pressures from exploitation and the disproportionate impacts of human activities on vulnerable communities. The discussion will cover innovative strategies for preventing and mitigating marine pollution, strengthening marine conservation and fisheries management, and tackling emerging issues such as biodiversity beyond national jurisdiction, while ensuring equitable access to healthy oceans for all. The session will look into crucial links between ocean health and social justice towards an inclusive future for the sustainable management of marine resources.</i>
12:00 - 1:30	<i>Lunch</i>	
1:30 - 3:00	<i>Session 5A Public Interest Environmental Law - Defending the Defenders</i> CR-4 <i>This session is dedicated to championing the rights and protection of environmental defenders in ASEAN. The discussion will explore the vital role of public interest</i>	<i>Session 5B Biodiversity and Wildlife in SE Asia Meeting Room A</i> <i>This session aims to address the urgent need for robust legal and policy frameworks for effective conservation strategies in the region. The discussion will explore the intricate relationship between biodiversity, wildlife protection, and sustainable development in</i>

	<p><i>environmental law and advocacy strategies in safeguarding environmental human rights defenders who courageously protect our planet. The session will look at legal strategies and inspiring stories which create a safe and enabling environment for environmental defenders' vital work in the face of mounting challenges in the region.</i></p>	<p><i>Southeast Asia. The session will delve into innovative approaches, knowledge exchange, and forging collaborations to safeguard the region's extraordinary biodiversity and ensure a harmonious coexistence between humans and wildlife.</i></p>
3:00 - 3:30	Break	
3:30 - 4:30	<p><i>Session 6A Public Interest Environmental Law - Climate Justice CR-4</i></p> <p><i>This session aims to examine the critical intersection of climate change and social justice. The discussion will explore innovative legal strategies and regulatory and policy frameworks aimed at addressing adverse impacts from climate change and ensuring a just transition to a sustainable future. The session will look into the transformative power of public interest environmental law in promoting climate justice and fostering solutions for the global climate crisis.</i></p>	<p><i>Session 6B Plastic Pollution in SE Asia Meeting Room A</i></p> <p><i>This session seeks to address the escalating crisis of plastic pollution in the region. The discussion will cover legal and policy frameworks, innovative solutions, and community-led initiatives to combat plastic waste and curb pollution in the region. The session will look into prospects for a sustainable future away from plastic pollution through collaborative solutions that tackle this pressing environmental challenge.</i></p>

Closing session

Day 4 Friday, August 18

<p>9:00 - 10:00</p>	<p><i>Plenary Session: Keynote Presentation - Environmental Rights in ASEAN and Consultation on the ASEAN Environmental Rights Framework</i> CR-4</p> <p><i>This session looks into a regional approach for advancing environmental rights in ASEAN which provides the impetus for developing a stronger enabling environment and necessitates reforms in policy, regulation and judicial procedure to uphold human rights and the environment. A regional framework on environmental rights supports ASEAN consensus around regional approaches for rights based environmental decision making. The discussion includes the substantive right to a safe, clean, healthy and sustainable environment, which complements the ASEAN Human Rights Declaration. Importantly, this also covers procedural environmental rights which improve the ability of governments to ensure a clean and healthy environment including: (1) Access to information is to participate in decision and policy making processes in an informed manner; (2) Public participation for the adoption of policies which consider the needs of communities and local conditions; (3) Access to justice to ensure that the public can enforce rights and enhance accountability; and (4) Enabling environment for people to exercise their rights and recognizes the important role of environment and human right defenders.</i></p>	
<p>10:00 - 10:30</p>	<p><i>Networking Break</i></p>	
<p>10:30 - 12:00</p>	<p><i>Session 7A ASEAN Framework on Environmental Rights – Workshop</i> CR-4</p>	<p><i>7B Workshop</i> <i>Meeting Room A</i></p>
<p>12:00 - 1:30</p>	<p><i>Lunch</i></p>	
<p>1:30 - 3:00</p>	<p><i>Session 8A ASEAN Framework on Environmental Rights – Workshop</i> CR-4</p>	<p><i>8B Workshop</i> <i>Meeting Room A</i></p>
<p>3:00 - 3:30</p>	<p><i>Break</i></p>	
<p>3:30 - 4:30</p>	<p><i>Session 9A Summary and Reporting Back</i> CR-4</p>	
<p>4:30 - 5:00</p>	<p><i>Closing Session</i> CR-4</p>	