

# Introduction to Questions for Defining Clear Priority Areas for Addressing Biodiversity Loss

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# Legal Responses for Addressing Biodiversity Loss

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## Outline

- Introduction
- An agreed Legal Response of Addressing Biodiversity Loss.
- Defining clear priority areas to address biodiversity loss;
- Structuring Options for Consideration;
- Challenges, Opportunities, Next steps/Looking Ahead





# Introduction

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- The world is facing three global planetary crises, namely climate change, biodiversity loss, as well as pollution.
- Environmental governance has an important part to play to address this crisis.
- The Montevideo Programme V which was adopted by Resolution 4/20 prioritizes the three planetary crises.

# State of Biodiversity

- The most recent ***Global Assessment Report of Biodiversity and Ecosystem Services*** issued by IPBES and the **fifth edition of the *Global Biodiversity Outlook***, provide evidence that biodiversity is deteriorating.
- To address the main drivers of biodiversity loss action from Biodiversity related MEAs (CBD, CITES, CMS, UNCCD, Ramsar, UNFCCC), SDG. GBF - whole of government and whole of society.



# Why Consultations with Stakeholders?

- These stakeholders' consultations are for defining clear priority areas for addressing biodiversity loss for 2024-2029 for MVP.
- The scope covers biodiversity including terrestrial resources, freshwater resources, and the marine and coastal environment .



# Other Important Current and Emerging Issues

- The 2022 Global Biodiversity Framework (GBF), NBSAP updates; GEF projects; BBNJ;
- Strengthening biodiversity legal frameworks - consider the triple planetary crisis, SDGS and other emerging issues.
- Enhancing action on transboundary crimes/crimes against the environment.
- UN Decade on Ecosystem Restoration 2021-2030



# The Montevideo Programme

- Intergovernmental programme to promote development and implementation of environmental rule of law, strengthen capacities in countries, and implement the SDGs
- 10-year programme: 2020-2030
- Adopted by UNEA 4 under resolution 4/20
- Member States have 'National Focal Points' who are senior government officials expert in environmental law
- Steering Committee for Implementation
- Delivery through partnerships

Delivering for People and the Planet: Fifth Montevideo Programme  
for the Development and Periodic Review of Environmental Law



# Vision of the Montevideo programme

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to promote the development and implementation of environmental rule of law, strengthen the related capacities in countries, and contribute to the environmental dimension of the 2030 Agenda for Sustainable Development.





# Objectives of the Montevideo Programme



To support the development of adequate and effective environmental **legislation** and **legal frameworks** at all levels to address environmental issues;



To strengthen the **effective implementation** of environmental law at the national level;



To support the **enhanced capacity-building** for increased effectiveness of environmental law for all stakeholders at all levels;



To Promote the role of environmental law in the context of effective environmental governance;



**Enhance the responsiveness and effectiveness** of the Montevideo Programme



To support national Governments, upon their request, in the **development and implementation of environmental rule of law**;

# Strategic activities

**Guidance tools:** Provide practical guidance, tools, innovative approaches and resources in a manner consistent with decision 27/9 of the Governing Council of the United Nations Environment Programme;

**Information and data exchange:** Develop and promote information and data exchange among legal stakeholders involved in the development and implementation of environmental law;

**Access rights:** Promote public participation, access to information and access to justice in environmental matters;

**UN Charter:** Promote the recognition of the mutually reinforcing relationship between environmental law and the three pillars of the Charter of the United Nations;

**Partnerships:** Support collaboration and promotion of partnerships across the United Nations and with other relevant entities, including civil society organizations, in the field of environmental law;

**Education:** Encourage and facilitate education on environmental law, with a view to empowering people and communities and strengthening institutional capacity of countries to address environmental issues;

**Awareness-raising:** Support environmental law awareness-raising initiatives at different levels

**Research:** Encourage research, including studies and reports, on emerging environmental issues and the relationship between environmental law and other, related legal fields;

**Training:** Promote training in the field of environmental law, especially for legal professionals such as judges and prosecutors and other enforcement officials.



# Mandate from Montevideo Focal Points

- Legal responses to enhance compliance with, and enforcement of biodiversity related laws , including criminal laws, and institutions was already identified by focal points.

# Mandate from Montevideo Focal Points

- To identify options for clearly defined 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.



# Structuring the Defined Priority Areas

- List current priority areas that are legal responses to address the biodiversity crisis.
- Identify capacity building initiatives and strategies which UNEP and Partners can undertake to support developing countries
- List activities/actions which align to the objectives of Montevideo Programme V and its strategies;



# Priority Areas on Biodiversity and Strategies in break out groups

1

Defining priority areas for strengthening biodiversity and related legal frameworks to implement regional, and global commitments such as MEAs, Regional Instruments, SDGs, and the GBF etc.

2

Defining various types of capacity building priority areas on biodiversity including its links with climate change and pollution.

3

Identifying gaps in knowledge products.

# Partnerships



IMPLEMENTATION WILL BE SUBJECT TO THE AVAILABILITY OF RESOURCES AND CONSULTATIONS WITH MEAS.



PARTNERSHIPS TO LEVERAGE ON FUNDS WILL BE ENCOURAGED, THE WHOLE OF GOVERNMENT AND THE WHOLE OF SOCIETY IN GBF, PARTNERSHIPS AT REGIONAL AND GLOBAL LEVELS.



TARGET GROUP- MVFP, GOVERNMENT OFFICIALS, MINISTRIES OF ENVIRONMENT, EPAS, THE JUDICIARY, PROSECUTORS, INVESTIGATORS, LEGAL PRACTITIONERS, ACADEMICIANS, CUSTOMS OFFICIALS; NGOS, PUBLIC INTEREST LITIGANTS.

# Next Steps/Looking Ahead

After these consultations next steps for Montevideo Programme V:

- Collate all defined priority areas on biodiversity from all regional consultations;
- Use the identified legal responses from all regional offices to prepare an Options Paper to be submitted to the Second Meeting of National Focal Points in June 2024.
- Implement the Legal Responses to Address Biodiversity Loss from 2024-2029.



# Conclusion



**The organizers expectations for the consultations:-**

- **Constructive engagement which is well thought through and highly interactive on legal responses to address biodiversity loss;**
- **Specific country needs for strengthening laws or institutions relating to biodiversity can be expressed at this stage.**
- **Regional specific needs if any can also be included.**

**Many thanks for your attention**

