

Workshop Report

Capacity building workshop for national focal points of the Multilateral Environmental Agreements and the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law to facilitate implementation of biodiversity and chemicals and waste MEAs

29-31 August 2023

Bugesera, Rwanda



Photo: Germaine Mukasibo @ Rwanda Environment Management Authority

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1 Background and purpose of the workshop

Relevant steps have been taken over the past years on the road to building collaboration and cooperation between the biodiversity and the chemicals and waste clusters at the global level, especially in light of the development and implementation of the Kunming-Montreal Global Biodiversity Framework and a new Global Framework on Chemicals. These steps include various exploratory studies,¹ decisions from governing bodies of multilateral environmental agreements (MEAs) promoting collaboration within and across clusters in areas of common interest,² and international events. For instance, the so-called “Bern Process” has been facilitating synergies among the MEAs at the global level in the preparation of the Kunming-Montreal Global Biodiversity Framework. In 2019, the secretariat of the Convention on Biological Diversity (CBD) hosted a consultation workshop for biodiversity-related conventions on the development of a post-2020 global biodiversity framework (“Bern I” workshop)³ following a request from the CBD Conference of the Parties (COP) in its fourteenth meeting.⁴ A second workshop was convened by the United Nations Environment Programme (UNEP) in 2022 to further identify areas of work and cooperation among biodiversity-related conventions, including representatives from MEAs from other clusters (Bern II).⁵ Based on the mandate from the CBD COP-15, as well as guidance from governing bodies of a number of other biodiversity-related MEAs, the Bern III conference will be organized by UNEP in 2024 to explore the role of MEAs in supporting the implementation of the Kunming-Montreal Global Biodiversity Framework. This will include representation not only of biodiversity-related MEAs, but also those in the chemicals and waste cluster and the other Rio conventions.⁶

Based on its mandate, UNEP has been providing substantive input and technical support to countries in strengthening coordination and cooperation in the implementation of MEAs and other instruments, particularly in the context of the Kunming-Montreal Global Biodiversity Framework and the new Global Framework on Chemicals. UNEP’s Medium-Term Strategy and, in particular, its environmental governance subprogramme provide a strong foundation for actions to enhance programmatic cooperation with the secretariats and governing bodies of the fifteen MEAs administered by UNEP and other conventions, including through the development of practical tools and working methods to support coherent and effective implementation both within and across their thematic clusters at all levels.⁷ Collaboration with MEAs is “central to all actions across the UNEP subprogrammes to secure stronger synergies and enhance impact.”⁸ Furthermore, through its Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V), UNEP has been working with countries in the promotion of environmental rule of law globally⁹ and the development of

¹ For instance, see UNEP/CHW.15/INF/44–UNEP/FAO/RC/COP.10/INF/29–UNEP/POPS/COP.10/INF/48 and Nordic Council of Ministers, *Strengthening collaboration and coordination between biodiversity and chemicals and waste clusters* (Copenhagen, 2022).

² For instance, see UNEP/MC/COP.4/Dec.12, MC-4/12: International cooperation and coordination and CBD/COP/DEC/15/13, 15/13. Cooperation with other conventions and international organizations; decisions BC-16/22, RC-11/9 and SC-11/21 on International cooperation and coordination with other international organizations.

³ CBD/POST2020/WS/2019/6/2.

⁴ CBD/POST2020/WS/2019/6/2.

⁵ UNEP, *Second Consultation workshop of biodiversity-related conventions on the Post-2020 Global Biodiversity Framework (Bern II)* (Cambridge, 2021).

⁶ See UNEP, *Bogis-Bossey Expert Meeting 2023: Workshop on Cooperation among the Biodiversity-related Conventions for the Implementation of the Kunming-Montreal Global Biodiversity Framework, in preparation for the Bern III Conference – Report* (Cambridge, 2023).

⁷ UNEP, *For people and planet: The United Nations Environment Programme Strategy for tackling climate change, biodiversity and nature loss, and pollution and waste from 2022-2025* (Nairobi, UN Environment Programme, 2022).

⁸ UNEP, 2022, p.21.

⁹ See UNEP, *Environmental rule of law: First Global Report* (Nairobi, UN Environment Programme, 2019).

adequate and effective environmental legal frameworks at all levels.¹⁰ The 10-year Programme commenced in January 2020 and is guided by three thematic areas for implementation, including “legal responses to address the pollution crisis” and “legal responses to combat the biodiversity crisis.”¹¹

Within this background, UNEP and the Rwanda Environment Management Authority (REMA) convened the “Capacity building workshop for national focal points of MEAs and the Montevideo Programme V to facilitate implementation of biodiversity and chemicals and waste MEAs” (the workshop) from 29 to 21 August 2023. The event aimed at providing a practical understanding of how the interlinkages between the biodiversity and the chemicals and waste clusters of MEAs could be promoted at the national level to enhance and facilitate their implementation. It focused on strengthening coordination and collaboration between focal points from selected MEAs and the Montevideo Programme V, as well as on establishing new partnerships and cooperation modalities at the national and sub-regional levels in selected countries in the Southern Africa Development Community (SADC) region.

This report provides an overview of the organization, presentations, discussions, and outcomes of the workshop. It is organized as follows:

- *Section 2* introduces the format and organization of the event, including a summary of the programme, an overview of meeting participants, and a snapshot of participants’ responses to the pre-workshop questionnaire.
- *Section 3* includes the proceedings from the opening session, focusing on the opening remarks from the co-organizers and the donor representative.
- *Section 4* provides a summary of the presentations from the first day (29 August 2023), with a focus on the environmental governance and environmental rule of law landscapes.
- *Section 5* enumerates the tools and approaches presented and discussed on the second day (30 August 2023), providing quick reference links to all relevant platforms.
- *Section 6* presents the action-oriented outcomes from the plenary and breakout group sessions, focusing on the views expressed by participants on approaches to strengthen coordination and collaboration between MEAs and the Montevideo Programme V.
- *Section 7* provides an overview of the key takeaway messages shared by participants in the wrap-up session.
- *Section 8* includes the proceedings from the closing session.

¹⁰ UNEP, *Delivering for people and the planet: Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law* (Nairobi, UN Environment Programme, 2021).

¹¹ UNEP/Env.Law/MTV5/GNFP.1/6/Add.1.

2 Organization and participation

The workshop took place from 29 to 31 August 2023 at the La Palisse Hotel Nyamata in Bugesera, Rwanda. It was made possible thanks to the financial support from the Governments of Finland and Sweden, the in-kind and financial support from the Government of Rwanda towards the meeting logistics, as well as the funding from the UNEP Environment Fund.

The event brought together forty-one representatives nominated by countries. These included MEA focal points, Montevideo Programme V focal points, and other government experts working on the biodiversity and the chemicals and waste clusters from nine countries in East Africa and the SADC region, namely, Botswana, Kenya, Malawi, Namibia, Rwanda (host), Tanzania, Uganda, Zambia, and Zimbabwe. An invitation had also been extended to the regional focal point for the Strategic Approach to International Chemicals Management (SAICM) for Africa (Angola).

In addition to country representatives, the Secretariat of the Basel,¹² Rotterdam,¹³ and Stockholm Conventions¹⁴ (BRS Conventions), the Secretariat of the Convention on Biological Diversity (CBD), the Secretariat Convention on Migratory Species (CMS) (virtually), the Secretariat of the Minamata Convention on Mercury (Minamata Convention) (virtually), UNEP representatives and resource persons also participated in the workshop. A representative from the donors (Finland and Sweden) participated by delivering the opening remarks to the workshop. *Annex III* of the present report includes the final list of participants.

The event was preceded by an informal welcome dinner hosted by UNEP on 28 August 2023, where participants and organizers had the opportunity to introduce themselves and share their expectations for the upcoming three days. The main workshop programme included plenary sessions and breakout groups, allowing for significant substantive discussions and information exchange among participants over the course of three days (*Figure 1*). Participants had access to background documents and PowerPoint presentations, which were also posted on the event webpage¹⁵ (*Annex I*). The goal of the first day (29 August 2023) was to provide an overview of the environmental governance landscape, introduce participants to the foundations of environmental rule of law and the Montevideo Programme V, as well as contextualize previous work developed around collaboration and cooperation between clusters at the national, regional and global levels. It included a consultation session on the thematic area three of the Montevideo Programme V, namely, "legal responses to combat the biodiversity crisis." The second day (30 August 2023) focused on presenting and identifying practical tools and approaches for strengthening the coherent implementation of MEAs at the national level. It also aimed at providing an opportunity for participants to discuss good practices and lessons learned in designing and implementing whole-of-society approaches and institutional mechanisms for integrated programming and MEA implementation. Particular focus was also given to tools and approaches available to support countries in preparing national reports and action plans. Lastly, the third day (31 August 2023) sought to provide a snapshot of the key inputs provided by participants during the first two days, including opportunities for joint action, and to convene a tour-de-table of takeaway messages and follow-up actions. The full version of the provisional workshop programme is available in *Annex II* of the present report.

¹² Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

¹³ Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

¹⁴ Stockholm Convention on Persistent Organic Pollutants.

¹⁵ See <https://www.unep.org/events/workshop/workshop-implementation-biodiversity-chemicals-and-waste-meas-and-montevideo>.

Overview of the workshop programme		
Day 1 29 August 2023	Day 2 30 August 2023	Day 3 31 August 2023
<i>Objective:</i> Overview of the MEAs landscape, introduction to work around synergies, and potential linkages of MEAs to the Montevideo Programme V.	<i>Objective:</i> Identification of practical tools and approaches for strengthening coherent implementation of MEAs.	<i>Objective:</i> Wrap-up - Outcomes of the workshop and way forward.
<p><i>Plenary Session 1.1:</i> Landscape of MEAs and introduction to synergies across the biodiversity and the chemicals & waste clusters.</p> <p><i>Plenary Session 1.2:</i> Introduction to the Kuming-Montreal Global Biodiversity Framework and new framework instrument with a focus on synergies across the biodiversity and the chemicals & waste clusters.</p> <p><i>Plenary Session 1.3:</i> Setting the scene – How environmental rule of law can support effective implementation of MEAs.</p> <p><i>Plenary Session 1.4:</i> Introduction to the Montevideo Programme V and linkages to MEAs.</p> <p><i>Breakout Session I:</i> Montevideo Programme and linkages to MEAs.</p>	<p><i>Plenary Session 2.1:</i> Introduction to tools to assist parties.</p> <p><i>Breakout Session I:</i> Tools for cooperation and collaboration in preparing national reports and action plans.</p> <p><i>Plenary Session 2.3:</i> Strengthening implementation through whole-of-government approaches.</p> <p><i>Breakout Session II:</i> Strengthening implementation through whole-of-government approaches.</p> <p><i>Plenary Session 2.5:</i> Report back from Breakout Session II.</p> <p><i>Plenary Session 2.6:</i> Discussion on improving national planning processes.</p>	<p><i>Plenary Session 3.1:</i> Wind up of Days 1 and 2.</p> <p><i>Plenary Discussion:</i> Sharing country perspectives, including a <i>tour de table</i> on identified common interests and areas for further collaboration.</p> <p><i>Plenary Session 3.2:</i> Synthesis, way-forward, and closing.</p>

Figure 1. Overview of the workshop programme.

2.1 Pre-workshop questionnaire

In the weeks preceding the workshop, the organizers circulated a survey containing nine questions relating to participants' experience in and knowledge about the Montevideo Programme V, MEAs from the biodiversity and chemicals and waste clusters and their implementation, as well as challenges, good practices, and existing approaches to collaboration and cooperation at the national and regional levels. UNEP prepared an analysis of the responses to this pre-workshop questionnaire (*Annex IV*), which helped organizers to gain a deeper understanding of participants' familiarity with MEAs and the Montevideo Programme V and their expectations for the event. The questionnaire outcomes also informed the design of the plenary sessions and breakout group discussions.

In total, twenty-one responses were received. Participants indicated a moderate to high level of familiarity with the CBD, Basel Convention, Minamata Convention, Stockholm Convention, and the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention). They also indicated some degree of familiarity with the CMS. In contrast, around fifty-five percent of respondents identified that they were not familiar with the Montevideo Programme V.

Participants highlighted in their responses several challenges relating to the implementation of MEAs at the national level, including financial constraints, personnel limitations, limited synergistic work in the implementation of conventions at the national level, lack of data management structures, and issues with data collection and processing hindering reporting and implementation for National Biodiversity Plans and Strategies (NBSAPs). Most participants indicated that they had been involved in the development or implementation of laws related to biodiversity, pollution and/or chemicals and waste

but similarly faced challenges relating to the lack of legal frameworks, lack of strong interagency coordination and lack of data. Furthermore, they shared a number of expectations for the workshop, which included sharing their experience with other countries in the region, learning from good practices, acquiring more information about tools available to assist collaboration and reporting, and learning more about the Montevideo Programme V.

3 Opening session

Ms. **Juliet Kabera**, Director General of the Rwanda Environment Management Authority (REMA), opened the workshop at 8:45 a.m. on 29 August 2023. Ms. Kabera welcomed participants and expressed her gratitude to UNEP for bringing everyone together to address the barriers that impede collaboration between the biodiversity and chemicals and waste conventions. She also expressed her appreciation to the secretariats of MEAs for their presence and unwavering support. Their commitment to supporting countries to fulfill their responsibilities was sincerely appreciated. Ms. Kabera observed that Rwanda took immense pride in uniting with the global community to collectively tackle the triple planetary crisis of pollution, climate change, and biodiversity loss. She underscored the relevance of the topic of synergies between MEAs and noted that the diversity in the room was the biggest strength of the event. The workshop had been in preparation for over two years given the COVID-19 pandemic and, despite the evolution in the topic of discussion, partners had decided that countries ultimately had to meet and explore avenues for working together. Ms. Kabera further recognized that synergies between agreements would enhance the effectiveness of country-level action and magnify positive outcomes for both present and future generations. She encouraged participants to understand the event as a platform for new ideas and partnerships, emphasizing the opportunities to share experiences and learn from one another. She concluded by thanking the speakers and noted that she looked forward to the following three days of discussion.

Ms. **Patricia Kameri-Mbote**, Director of UNEP's Law Division, greeted participants on behalf of the United Nations Environment Programme. Ms. Kameri-Mbote especially thanked the host and co-organizer, REMA, for the excellent support and warm hospitality. She further expressed her appreciation and gratitude to the Ministry of Environment of Finland and the Swedish International Development Cooperation Agency (SIDA) for funding the workshop. She thanked the MEA Secretariats for their participation. Ms. Kameri-Mbote noted that humanity stood at the precipice of an unparalleled challenge that called into question the very fabric of their existence on this planet: the so-called triple planetary crisis, which was urgent, complex, and demanded immediate attention, collective action, and unwavering commitment. This crisis was characterized by an alarming interplay between climate change, nature loss, and pollution, and it had profound implications for the future of humanity and other species. She further introduced the role of MEAs, which provided hope and had emerged as one of the best ways to institutionalize intergovernmental cooperation and trigger national action in the environmental sector. Despite the large number of MEAs celebrated over the past decades, scientific data showed that the state of the environment continued to deteriorate, leading the United Nations (UN) Secretary-General to state that humanity had passed the era of global warming and had entered the era of global boiling. She shared that this could sound discouraging, but if they worked together and moved beyond silos, they could address this challenge. She underlined the need to develop innovative solutions and look for new approaches to build cooperation across thematic clusters of MEAs, particularly at the regional and national levels. She also highlighted the conclusion of the Kunming-Montreal Global Biodiversity Framework, whose implementation provided an opportunity for transformational change. Ms. Kameri-Mbote pointed out that the workshop would discuss practical ways to make synergies and interlinkages between the biodiversity and chemicals and waste cluster a reality at the national level. This was the first time UNEP organized an event where the Montevideo Programme V focal points could directly interact with MEA focal points. The Montevideo Programme V was introduced as UNEP's flagship mechanism to support countries in the field of environmental law and as a resource to help them deliver on international commitments and goals through effective environmental law and policy frameworks, including in the field of biodiversity and chemicals & waste. She recalled that MEAs were a central feature of international environmental law and needed to be effectively implemented within and through domestic legal and policy frameworks. She stressed that the Montevideo Programme V could support this synergistic implementation at the national level and that

interaction between Montevideo Programme focal points, MEA focal points, and MEA secretariats was important to strengthen synergies and ensure coherence and coordination. Ms. Kameri-Mbote observed the workshop provided an opportunity for South-South learning, sharing experiences and best practices, and bringing together regional networks. She reiterated UNEP's commitment to continuing to offer technical, legal, strategic, and financial support to countries implementing MEAs and concluded by encouraging participants to use the opportunity of this workshop to share experiences and ideas, learn from one another, and strengthen networks across the region because together, they will be able to achieve more.

Ms. **Marjaana Kokkonen**, Ministerial Adviser at the Ministry of the Environment of Finland, provided welcome remarks on behalf of Finland and SIDA as workshop co-sponsors. Ms. Kokkonen underscored that Nordic countries were long-term supporters of UNEP's work on multilateral environmental agreements and synergies between MEAs. She recalled their common understanding that coherence and efficiency in implementing international environmental instruments are crucial in successfully addressing emerging environmental problems and achieving the sustainable development goals (SDGs). Therefore, the Nordic Council of Ministers had recently supported the preparation of a study titled "Strengthening collaboration and coordination between biodiversity and chemicals and waste clusters," which came up with a number of recommendations to enhance collaboration between these two clusters. She stressed that Finland and SIDA were very pleased to be able to support the organization of the present capacity-building workshop, which represented a continuation of the implementation of the series of recommendations from the report. They were confident that this subregional workshop with focal points of the Montevideo Programme V and in Africa could set an example for capacity-building workshops and were proud to be part of this effort. Ms. Kokkonen noted they were looking forward to the MEA day at the sixth session of the United Nations Environment Assembly (UNEA-6), which would provide an opportunity to highlight the outcomes of this work and showcase the benefits of synergies between clusters. She concluded by wishing everyone an excellent event and underscored they looked forward to hearing about its outcomes.

4 Collaboration and cooperation between the biodiversity and chemicals & waste clusters, and potential linkages of MEAs to the Montevideo Programme V

The presentations during the first day of the workshop (29 August 2023) introduced the environmental governance landscape, highlighted entry points for collaboration and cooperation in the context of biodiversity and chemicals & waste clusters of MEAs, and outlined the foundations of environmental rule of law and the Montevideo Programme V. This section provides an overview of the main points addressed by these presentations. Participants' views and input provided during the plenary discussions following the presentations are integrated into section 6 of the present report, which includes action-oriented “opportunities for action.”

Ms. **Tita Korvenoja**, Chief of the Environmental Conventions and Policy Branch, UNEP's Law Division, gave a glimpse of the MEA landscape and of work developed in the past to promote collaboration and cooperation between different conventions. Ms. Korvenoja noted that MEAs were key environmental governance instruments and provided for national-level action. She showed how the landscape had developed over the past decades, from the Club of Rome's *The Limits to Growth* Report and Rachel Carson's 'Silent Spring' book to the specialized MEAs subsequently developed. She underscored the vast number of bilateral, regional, and global MEAs in force in 2023. UNEP administered and provided secretariat functions for fifteen of them, including eight global conventions, five regional seas conventions, and two other regional conventions. It also collaborated with other conventions and instruments under the aegis of its *Medium-Term Strategy 2022—2025*. She pointed out that cooperation across the board was necessary within the context of the triple planetary crisis, and this was backed by the scientific community. The environmental movement had started from an integrated approach, and now it was important to work more effectively to address the crisis in a coherent and integrated manner. Ms. Korvenoja stressed many aspects that contributed to the diversity of the MEAs. These included, for instance, the various geographical scopes, reporting requirements, objectives, compliance mechanisms, funding mechanisms, the location of secretariats, governance structures, and membership of different conventions. She also highlighted that decision-making at various levels affected the role of national focal points, providing examples of decisions from governing and subsidiary bodies of MEAs and guidance from UN bodies with universal membership, such as the United Nations General Assembly (UNGA) and UNEA. Ms. Korvenoja noted that participants were committed to implementing MEAs on the ground and that UNEP would be keen to hear about their priorities for further action and support at the national level. She introduced several dimensions for the conceptualization of synergies and provided examples of previous synergies-related work, including an exploratory study by the secretariats of the BRS conventions and the Minamata Convention named “Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity: Key insights.”¹⁶ Furthermore, she presented entry points for enhancing synergies and cooperation in the implementation of the Kunming-

¹⁶ See Secretariats of the Basel, Rotterdam, Stockholm Conventions and the Minamata Convention on Mercury, *Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity: Key insights* (Geneva, UN Environment Programme, 2021).

Montreal Global Biodiversity Framework, including through target seven on reducing pollution risks and the negative impacts of pollution from all sources by 2030. Building on previous synergies-related work, Ms. Korvenoja concluded by presenting high-level procedural opportunities for action to inform the plenary and breakout group discussions. These were divided into three categories, namely, (a) institutional mechanisms at the national level, (b) strategic planning and implementation, and (c) regional and international cooperation.

Representing the CBD Secretariat, Mr. **Olivier Rukundo**, Head of the CBD People and Biodiversity Unity, provided an update relating to the establishment of the Global Biodiversity Fund, which had been launched and ratified at the Global Environment Facility (GEF) Assembly in Vancouver earlier and aimed at promoting integrated approaches. He observed that the fund was open to pledges and contributions from a number of stakeholders, including the private sector, and that the message from the GEF Assembly was that procedural and substantive elements of the fund were now open for discussion by members. Additionally, Mr. Rukundo provided an overview of the mission, vision, goals, targets, and monitoring framework of the Kunming-Montreal Global Biodiversity Framework, which was adopted in December 2022 as a package of associated decisions. He underscored that the framework acknowledged that biodiversity loss was inextricably linked to climate change and other existential threats to biodiversity and was designed with a whole-of-government and whole-of-society approach embedded in its provisions. While addressing the elements of the framework, he shared that targets could be clustered into three groups, namely, targets relating to (a) reducing threats, (b) meeting people's needs, and (c) tools and solutions. He further noted that this was the first framework at the CBD level to expressly recognize the interlinkages between human rights and gender. He further described that the implementation of the Kunming-Montreal Global Biodiversity Framework was a collective responsibility, especially in light of the steps being taken by other MEAs to identify entry points for collaborating in its implementation. Bringing the discussion to target 7, he highlighted that this was one of the many targets that could be used as entry points for synergies between clusters at the national level. Such action should take into account the considerations for implementation identified in Section C of the Kunming-Montreal Global Biodiversity Framework and the headline and component indicators of its associated monitoring framework. Mr. Rukundo concluded his presentation by underscoring that synergies could also be explored in the reporting processes under various MEAs, especially through identifying information in national reports that was relevant to other processes and conventions. This would be facilitated by effective, cross-cutting National Biodiversity Strategies and Action Plans (NBSAPs).

Ms. **Malgorzata Stylo**, Associate Programme Management Officer at UNEP's Chemicals and Health Branch, provided an overview of the interlinkages between the biodiversity and chemicals & waste clusters. Ms. Stylo introduced UNEP's Making Peace with Nature report, which underscored the relevance of addressing environmental emergencies in a coordinated way. The report also pointed out that the development of global goals, targets, and commitments under numerous MEAs needed to be aligned to allow for synergies and increased effectiveness. Building on Ms. Korvenoja's presentation, she explained the landscape of international governance on chemicals, waste, and pollution, which encompassed several instruments such as the Strategic Approach to International Chemicals Management (SAICM). She also provided thematic examples of the interconnections between chemicals and biodiversity. These included an example of how a pharmaceutical product (diclofenac) impacted biodiversity and human health. Furthermore, Ms. Stylo recalled that 2023 was a year of opportunities for fostering synergies with the chemicals and waste cluster. She highlighted three main entry points for synergies, which included (a) the negotiation of a new "beyond 2020" chemicals and waste global policy framework instrument, (b) the negotiations towards establishing a Science-Policy Panel to contribute further to the sound management of chemicals and waste and to prevent pollution, as mandated by UNEA resolution 5/8, and (c) the implementation of UNEA resolution number 5/12 on the environmental aspects of minerals and metals management. She presented the process leading up to the

fifth session of the International Conference on Chemicals Management (ICCM5), including the expectations for the session and the main entry points for mainstreaming biodiversity issues into the new “beyond 2020” chemicals and waste global policy framework instrument. Ms. Stylo further presented a substantive example of collaboration between the thematic pillars of chemicals and waste and biodiversity, focused on ASGM. She explained the concept of ASGM, highlighting it was an important source of livelihood for a very significant number of people worldwide, especially in rural communities. However, ASGM often used mercury to extract the gold and constituted the largest source of anthropogenic mercury pollution globally. She noted there was a need for more coordinated action toward achieving a balance between the extractives industry, human health, and biodiversity protection. The National Action Plans (NAPs) for artisanal and small-scale gold mining under the Minamata Convention were presented as an important requirement and instrument to address mining holistically. Forty-eight countries had already started NAP projects, and thirty had finalized and submitted their action plans to the Minamata Convention Secretariat. She noted that an analysis of these plans pointed to deforestation, loss of vegetation, loss of forest cover, and mercury pollution as key impacts of ASGM activities. She concluded by discussing examples of collaboration to address the interplay between mining pollution and biodiversity loss, including through the planetGOLD programme.

Ms. Manoela Pessoa de Miranda, Programme Management Officer at the Secretariat of the Minamata Convention, described opportunities for national focal points to bridge the gap between mercury and biodiversity. Ms. Pessoa de Miranda noted that nine out of the eight countries present at the workshop were parties to the Minamata Convention, and six had identified ASGM as a “more than insignificant” issue to their countries. She shared that the Minamata Convention had started to address biodiversity and broader environmental goals a few years back. A milestone was the publication titled “Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity: Key insights,” which highlighted that mercury was toxic to wildlife and likely put additional pressure on species already threatened with extinction. One of the key recommendations from the study was to increase the integration and engagement of the chemicals and biodiversity sectors at the national, regional, and international levels. She noted that work to address these recommendations had already started. For instance, the Minamata Convention COP, in its fourth meeting, requested the secretariat to prepare a report, including possible recommendations on how the convention could contribute to implementing the Kunming-Montreal Global Biodiversity Framework under the CBD. While discussing opportunities for synergies in the framework, Ms. Pessoa de Miranda provided examples of target seven on pollution and target six on managing invasive alien species. She also indicated that twenty-one out of the twenty-three targets of the framework were relevant to implementing the Minamata Convention (and vice-versa) and could lead to potential co-benefits. Bringing the discussion to the national level, she enumerated five core provisions of the Minamata Convention that presented entry points for enhancing co-benefits, namely, (a) the assessment of impacts of mercury on the environment, (b) the assessment of social, and economic and cultural impacts, particularly in respect of vulnerable populations, (c) ASGM, (d) monitoring the presence and movement of mercury in the environment, (e) remediation of mercury-contaminated sites. Concrete examples relating to these entry points were made available on the workshop website.¹⁷

Ms. Anne Nakafeero, Minamata Convention National Focal point for Uganda, presented their experience fostering collaboration and cooperation between clusters in implementing the NAP for ASGM in Uganda. Ms. Nakafeero provided background information on ASGM activities in Uganda, noting that the key impacts of these activities were deforestation, land degradation, and pollution of air, soil, and water. She shared examples of national interventions taken to address the impacts of ASGM in an integrated manner. These included (a) the development of the National Environmental Act in 2019, which covered biodiversity offsets; (a) the development of a NAP on ASGM in 2019, which formalized

¹⁷ For more information, see <https://www.unep.org/events/workshop/workshop-implementation-biodiversity-chemicals-and-waste-meas-and-montevideo>.

the ASGM sector; and (c) the revision of Uganda's Mining and Minerals Act in 2022 establishing a favorable minerals licensing regime.

On behalf of UNEP's Law Division, Ms. **Patricia Kameri-Mbote** introduced the concept and elements of environmental rule of law and how it could support the implementation of MEAs. Ms. Kameri-Mbote described that environmental rule of law was the traditional tenets of the rule of law applied in an environmental context. She recalled that UNEP had the mandate, as per UNEP's Governing Council Decision 27/9, to lead the UN System in supporting countries upon request in developing and implementing environmental rule of law. Environmental rule of law was important for several reasons. It facilitated access to justice and implementing and enforcing environmental laws and regulations. It also provided the foundation for environmental rights and other human rights to be exercised, including procedural and substantive rights such as the right to a clean, healthy, and sustainable environment in line with the resolutions from the Human Rights Council A/HRC/RES/48/13 and the General Assembly /RES/76/300. Ms. Kameri-Mbote underscored that environmental rule of law had many core elements, such as (a) clear and coordinated mandates and roles, (b) fair, clear, and implementable laws, (c) access to information, public participation, and access to justice, (d) accountability and integrity of institutions and decision-makers, (e) accessible, fair, impartial and responsive dispute resolution mechanisms, and (f) the recognition of the mutually enforcing relationship between rights and the environmental rule of law. She noted that there had been a proliferation of environmental legal frameworks over the past decades, but an implementation, compliance, and enforcement gap persisted. Environmental rule of law gave a foundation for national focal points to exercise their mandates and could serve as the medium to address some of these implementation challenges. She observed that the absence of environmental rule of law undermined good governance beyond the environmental sector. International cooperation and multistakeholder approaches – that included legislators, judges, prosecutors, and other government officials – were, therefore, key to achieving a healthy planet for all. She noted that the international community could play a critical role in implementing environmental rule of law and realizing the right to a healthy environment. This was instrumental in implementing MEAs and international environmental law.

On behalf of the Secretariat of the Montevideo Programme V, Ms. **Sylvia Bankobeza**, Legal Officer at UNEP's Law Division, gave an introduction to the Fifth Montevideo Programme for the Development and Periodic Review of Environmental (Montevideo Programme V) and the consultations that were going to take place later that day. Ms. Bankobeza explained that the fifth Programme had been adopted by UNEA at its fourth session through Resolution 4/20 and prioritized addressing the triple planetary crisis. This new iteration of the Programme included novel features such as a periodic review of progress, the designation of National Focal Points, and the establishment of a Steering Committee for Implementation. She noted that the Programme was structured around priority areas for implementation, which were decided and reviewed by National Focal Points in their biannual global meetings. Due to delays caused by the COVID-19 pandemic, the First Global Meeting of National Focal Points was convened in two parts in 2021 and 2022. As an outcome of this meeting, National Focal Points agreed upon a number of priority areas for implementation of the programme, including "legal responses to enhance compliance with, and enforcement of biodiversity-related laws, including criminal laws, and institutions." She underscored this would be one of the priorities for UNEP in delivering technical legal assistance to countries until 2029 and that countries could request assistance directly from UNEP through UNEP's Law and Environment Assistance Platform (UNEP-LEAP) Clearing House Mechanism (see section 5). Ms. Bankobeza noted that the Montevideo Programme Secretariat had been collating views from stakeholders from different regions to prepare an options paper to inform the implementation of the biodiversity-related thematic priority area. She concluded by sharing that the views expressed in the consultations would be integrated into the paper and presented to the Steering Committee for Implementation in November.

Ms. **Sarah Naigaga**, Member of the Steering Committee for Implementation of the Montevideo Programme V and Montevideo National Focal Point for Uganda, presented Uganda's experience in putting into practice the thematic area 3 for the implementation of Montevideo Programme V, namely "legal responses to combat the biodiversity crisis." Ms. Naigaga concluded the session by providing examples of national legal frameworks developed and/or reviewed to address biodiversity loss and pollution.

5 Practical tools and approaches for strengthening coherent implementation of MEAs

Building on the background on environmental law and governance provided by the presentations the day before, the second day of the workshop (30 August 2023) was focused on concrete tools and approaches for strengthening coherent implementation of MEAs at the national level. It included several presentations from representatives of the BRS Secretariat, the Minamata Convention Secretariat, UNEP's Law Division, UNEP's Chemicals and Health, the Northeastern University, and countries that shared best practices and lessons learned. The tools, initiatives, and mechanisms below were presented and further discussed (*Figure 2*).

<i>Tool/Initiative</i>	<i>Description</i>	<i>Contact Information</i>
Basel and Stockholm Conventions Reporting Dashboards	The Basel and Stockholm Conventions Reporting dashboards provide a streamlined and comprehensive way to visualize data and information submitted by Parties in their national reports. The structure of the dashboards is based on the national report questionnaires, and the platform offers different ways to visualize data.	<p>Website BC SC</p> <p>Focal points :</p> <p>Ms. Carla Valle (SC) (Carla.Valle@un.org)</p> <p>Ms. Melisa Lim (BC) (Melisa.Lim@un.org)</p> <p>Secretariat of the Basel Convention (sbc_natrep@brsmeas.org)</p>
Basel and Stockholm Conventions reporting tools	As specified in the Basel and Stockholm Conventions' texts (Art. 13(3) of the Basel Convention and Art. 15 of the Stockholm Convention), Focal Points (Basel Convention) and Official Contact Points (Stockholm Convention) submit reports using the Electronic Reporting System (ERS). The ERS contains questionnaires adopted by the COPs to be completed by the Parties to each Convention. The reports are accessible in read-only mode after submission, and the Secretariat performs quality control as mandated by the COP. A national reporting classification exercise is also undertaken by the Implementation and Compliance Committee of the Basel Convention, as requested by the COP.	<p>Website BC SC</p> <p>Focal points:</p> <p>Ms. Melisa Lim (BC) (Melisa.Lim@un.org)</p> <p>Ms. Carla Valle (SC) (Carla.Valle@un.org)</p> <p>Secretariat of the Basel Convention (sbc_natrep@brsmeas.org)</p>
BRS Joint Clearing-House Mechanism for Information Exchange	The joint clearing-house mechanism is a multi-stakeholder global system that facilitates the exchange of information and expertise relevant to the Basel, Rotterdam, and Stockholm conventions. The BRS Secretariat has developed and is continuously enhancing a global knowledge base of information and tools, which is updated and used by all members of the clearing-house community. The mechanism includes information on legislation, the latest science, capacity-building, and the status of implementation of BRS conventions.	<p>Website Contact</p> <p>Focal point:</p> <p>Mr. Julien Hortonedá (Julien.Hortonedá@un.org)</p>

<i>Tool/Initiative</i>	<i>Description</i>	<i>Contact Information</i>
Dashboards on National Action Plans on ASGM (Minamata Convention)	Forty-eight countries have started GEF-funded NAP projects, and thirty of them have finalized and submitted their NAPs to the Minamata Convention Secretariat. These documents were reviewed, and the quantitative and qualitative data extracted were integrated into an interactive dashboard. The dashboard provides information on baseline figures and worst practices that need to be addressed, among others.	Website Contact Focal points: Ms. Malgorzata Stylo (malgorzata.stylo@un.org) Mr. Kenneth Davis (Kenneth.Davis@un.org)
Minamata Initial Assessments Mercury Inventories (Dashboard)	The dashboard allows users to explore data from national mercury inventories made with the UNEP Toolkit for identification and quantification of mercury releases as part of Minamata Initial Assessments (MIA). It showcases regional trends of mercury emission estimates from all sectors.	Website Contact Mr. Kenneth Davis (Kenneth.Davis@un.org)
InforMEA	InforMEA is the UN information portal hosted by UNEP which focuses on Multilateral Environmental Agreements. It is an open-access knowledge platform that integrates information from different MEA secretariats, including plans submitted by parties. It includes party profiles, treaty profiles, a glossary, an e-learning section with self-paced courses, and a new negotiators section. The information is searchable by key terms across treaty texts, COP decisions, national plans and reports, laws, court decisions, and more.	Website Contact Focal point: Ms. Eva Duer (Eva.Duer@un.org)
Data Reporting Tools for MEAs (DaRT)	DaRT is the first global reporting tool that supports parties in sharing, organizing, and maintaining data, knowledge, and information across biodiversity-related conventions. DaRT provides parties to MEAs with a private and secure working space to organize, share, and keep data across conventions for reporting purposes, contributing to preserving institutional knowledge. It supports synergies in national reporting, leading to improved global stocktake. DaRT is hosted by InforMEA.	Website Contact Focal point: Ms. Diane Klaimi (diane.klaimi@un.org)
UNEP's Law and Environment Assistance Platform (UNEP-LEAP)	UNEP-LEAP is the digital backbone of the Montevideo Programme V. It is hosted by InforMEA. It provides information on national legislation and meetings convened under the Programme. It also includes a Clearing House Mechanism through which countries can submit technical legal assistance requests directly to UNEP.	Website Contact Focal point: Ms. Eva Duer (Eva.Duer@un.org)
Green Customs Initiative (GCI)	The GCI is hosted by UNEP and seeks to enhance the capacity of customs and border control officers to enforce and foster compliance with trade-related conventions. GCI partners include UN agencies, secretariats of MEAs, INTERPOL, and other organizations. The GCI contributes to the development of capacity-building training workshops, green customs curricula, and knowledge products.	Website Contact Focal point: GCI Secretariat (unep-greencustomsinitiative@un.org)

<i>Tool/Initiative</i>	<i>Description</i>	<i>Contact Information</i>
Environmental Conventions Index (ECI)	The ECI was developed at the Center for Governance and Sustainability at the University of Massachusetts Boston (USA) to assess the national implementation of MEAs across the biodiversity and chemicals and waste clusters. The Index is not an UN-endorsed tool. It consists of an independent analytical and empirical framework that enables comparative assessments of countries' progress in meeting their obligations under selected MEAs. The School of Public Policy and Urban Affairs at Northeastern University currently hosts the ECI, and is expanding the dataset and building interactive dashboards that will be available to the general public in early 2024.	<p><u>Website</u> <u>Contact</u></p> <p>Focal points: Ms. Maria Ivanova (m.ivanova@northeastern.edu) Ms. Olga Skaredina (skaredina.o@northeastern.edu)</p>

Figure 2. Overview of tools, mechanisms, and initiatives for strengthening coherent implementation of MEAs at the national level.

To conclude the second day of presentations, Mr. **Patrick Umuhoza**, International Environmental Agreements Officer at REMA, presented REMA's experience implementing whole-of-society approaches. Mr. Umuhoza noted that Rwanda established annual meetings to bring together national focal points to various MEAs, where they had the opportunity to discuss challenges and opportunities for collaboration. Rwanda also established two Steering Committees with diverse membership, one for chemical and waste conventions and one for biodiversity and climate change conventions. These were relevant to keeping key stakeholders updated and provided an opportunity to look for coordinated and integrated solutions to MEA-related implementation challenges.

6 Views expressed by participants on approaches to strengthen coordination and collaboration between MEAs and the Montevideo Programme V

Under the Chatham House Rule,¹⁸ national focal points and other participants had the chance to engage in various plenary and breakout group discussions throughout the three days of the workshop (see *Annex I* for the full provisional programme), including the Montevideo Programme V consultations.¹⁹ This section aggregates the views expressed by participants during these sessions, focusing on approaches to strengthen coordination and collaboration between MEAs and the Montevideo Programme V at the national, subregional, and regional levels. It includes three subsections: The first outlines general, high-level messages from the three days of discussion. The second enumerates concrete opportunities for action that were identified as a priority and reviewed by meeting participants. Lastly, the third subsection provides information on potential areas for future collaboration under the Montevideo Programme V.

6.1 General Messages

Eleven general, high-level messages could be identified based on the views shared by participants during the three days of plenary discussions and breakout group sessions. These are grouped into three categories, namely, (a) general messages relating to collaboration, cooperation, and synergies, (b) general messages relating to collaboration and cooperation between MEAs and instruments from the biodiversity and chemicals & waste clusters, and (c) general messages relating to reporting and capacity-building.

6.1.1 Cooperation, collaboration, and synergies

General message 1: The foundations of global environmental governance date back to the beginning of the environmental movement. Since then, numerous multilateral environmental agreements have been developed across multiple subjects, leading to a more focused regulatory approach and the identification of clusters. Given the wide range of MEAs, cooperation and collaboration between countries is inevitable.

General message 2: Collaboration, cooperation, and synergies are crucial for implementing MEAs at the national level, especially in the context of the triple planetary crisis of biodiversity loss, pollution, and climate change. Conventions can be considered vehicles to solve common issues and problems in an integrated way. Science backs work on integrated approaches and synergies at the national level, as

¹⁸ When part of a meeting is held under the Chatham House Rule, participants are free to use the information received during the segment, but neither the identity nor the affiliation of participants and speakers may be revealed. For more information, see <https://www.chathamhouse.org/about-us/chatham-house-rule>.

¹⁹ The three breakout group sessions were as follows: (a) “Montevideo Programme and linkages to MEAs;” (b) “Tools for cooperation and collaboration in preparing national reports and action plans;” and (c) “Strengthening implementation through whole-of-government approaches.”

demonstrated by recent reports from the Intergovernmental Panel on Climate Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

General message 3: There is a strong commitment to implementing MEAs at the national level, including through domestication through legislative or administrative measures. There is a no-size-fits-all approach to improving coordination and collaboration nationally. What works for one country may not work for another country. Within this context, sharing experiences, recognizing national circumstances, and consulting and building the capacity of different stakeholders at the national level is key to further developing synergies domestically.

General message 4: Environmental rule of law is the "glue" that links MEAs to national-level implementation and the Montevideo Programme V provides a major opportunity to address implementation and enforcement gaps of national environmental legal frameworks.

6.1.2 Collaboration and cooperation between MEAs and instruments from the biodiversity and chemicals & waste clusters

General message 5: The operationalization of the Kunming-Montreal Global Biodiversity Framework provides an entry point for further collaboration and cooperation in the implementation of various MEAs nationally and globally. The framework incorporates a whole-of-government and whole-of-society approach into its theory of change, goals, and targets. At the global level, an analysis of the framework's twenty-three targets shows multiple ways to create synergies and opportunities for joint action. Particularly, target seven on reducing pollution risks and the negative impact of pollution is a clear entry point for synergies between the biodiversity and chemical clusters.

General message 6: The process of reviewing National Biodiversity Strategies and Action Plans (NBSAPs) in light of the new Kunming-Montreal Global Biodiversity Framework provides an entry point for countries to take action to foster synergies at the national level. Further avenues for collaboration and technical assistance could be explored in the process of updating NBSAPs. At the national level, this process needs to be done in line with national circumstances and mindful of section C of the framework (considerations for implementation), including rights-based approaches.

General message 7: Artisanal and small-scale gold mining (ASGM) is the largest source of anthropogenic mercury pollution globally and constitutes a significant issue for many countries in East Africa. ASGM can negatively impact biodiversity and ecosystem services in numerous ways. An analysis of the National Action Plans (NAPs) submitted to the Minamata Convention acknowledged various effects of ASGM on ecosystems and wildlife, including deforestation, soil degradation, chemical pollution of terrestrial and aquatic ecosystems, loss of habitats, and alteration of the physical conditions of watercourses. Programmes and projects designed to address ASGM were identified as good entry points for joint action between the biodiversity and the chemicals and waste clusters.

General message 8: The ongoing negotiations for a new "beyond 2020" chemicals and waste global policy framework instrument serve as a valuable forum for deliberating shared objectives and are a significant opportunity to incorporate a commitment to collaboration and cooperation into the instrument.

General message 9: Chemicals and waste are priority issues for the African region, which experiences first-hand the environmental and health impacts of the unsound management of chemicals. At the global level, significant attention and finance are directed to issues relating to biodiversity and climate, while comparatively lower levels of resources are allocated for chemicals and waste.

6.1.3 Reporting and capacity-building

General message 10: Streamlining and synergizing monitoring and reporting processes at the national level under various MEAs is essential for strengthening implementation. Existing UN tools and platforms to support countries in reporting processes are useful but could be further streamlined and updated.

General message 11: Continuous capacity-building that is country-driven and demand-driven is key to fostering collaboration and cooperation across clusters at the country level. There is a need for increased support from secretariats, United Nations agencies, and other partners in building capacities to identify synergies and to promote integrated approaches nationally.

6.2 Opportunities for action

During the plenary discussions and breakout group sessions, participants have identified many procedural and substantive areas for potential collaboration and cooperation between clusters at the national level, including mechanisms for collecting, sharing, and processing data and strategies to streamline reporting. These so-called “opportunities for action” are detailed in this section. They were clustered into three categories, namely, (a) institutional mechanisms at the national level, (b) strategic planning and implementation, and (c) regional and international cooperation, and represent a non-exhaustive list of options for further discussion and action.

Draft “opportunities for action” were presented in plenary on the third day, and initial input received from participants was incorporated into the subsections below.²⁰

6.2.1 Institutional mechanisms at the national level

Opportunities for action relating to encouraging national focal points from different MEAs and processes to work together may include:

- Establish national mechanisms, committees, or similar bodies to facilitate cooperation and collaboration between focal points from different thematic clusters, improving the implementation of various MEAs.
- At the national level, convene dedicated regular coordination meetings between focal points from various MEAs and processes.
- Identify opportunities and use incentives to encourage the participation of focal points in cross-thematic events and initiatives. This may include facilitating their participation in strategic international meetings as a way of capacity-building.
- Design and implement continuous capacity-building interventions for national focal points and government officials, including on the synergistic interpretation and implementation of national legal frameworks and MEAs.
- Bring national focal points together to develop cross-thematic project proposals.
- Further collaborate with the focal points of the Montevideo Programme V on strategic areas, such as capacity-building for judges, prosecutors, and law enforcement officials.

²⁰ For the PowerPoint presentation, see the workshop website at <https://www.unep.org/events/workshop/workshop-implementation-biodiversity-chemicals-and-waste-meas-and-montevideo>.

- Create joint national legislative guidelines on different cross-cutting aspects relating to biodiversity protection and sound management of chemicals and waste, building on existing tools at the regional and international levels.

Opportunities for action relating to ensuring that institutional mechanisms are in place to bring together the competent national authorities may include:

- Establish mechanisms that facilitate peer-to-peer learning through the compilation and sharing of best practices and lessons learned.
- As appropriate, define clear mandates and roles for cooperation and collaboration in the context of government agencies and ministries.
- Enhance the effectiveness of existing national MEA coordination committees and similar bodies, including through establishing specialized subcommittees as appropriate.
- Couple existing committees of technical experts with steering committees comprised of high-level representatives to enhance political influence
- Where needed, set up formal institutional frameworks at the national level, such as task forces and cross-cutting committees designed to streamline and enhance monitoring and reporting processes.
- Improve modalities for data collection and create mechanisms to allow different stakeholders to cross-check information provided by national focal points during the reporting process.

6.2.2 Strategic Planning and Implementation

Opportunities for action relating to aligning work plans and strategies for implementing various MEAs, the new Global Framework on Chemicals, and the Montevideo Programme V at the national level may include:

- Mainstream issues such as collaboration, cooperation, and joint targets and indicators into national work plans and strategies, including national development plans.
- Integrate awareness-raising initiatives about existing tools to support MEA monitoring and reporting into national work plans and strategies.
- Promote and strengthen national programming for the integrated implementation of the Kunming-Montreal Global Biodiversity Framework.
- Implement the Kunming-Montreal Global Biodiversity Framework in line with national circumstances and mindful of section C of the framework (considerations for implementation), including rights-based approaches.
- Map and consult national focal points and other relevant stakeholders in the development of coordinated approaches to implementing MEAs, the new Global Framework on Chemicals, and the Montevideo Programme V.

Opportunities for action relating to collaborating in developing and implementing National Biodiversity Strategies and Plans (NBSPAs), Minamata Actions Plans (NAPs) for ASGM, and other national plans under the chemicals and waste cluster to effectively address all relevant conventions may include:

- Create opportunities at the national level to engage stakeholders from various sectors in reviewing and updating relevant national plans.

- Issue open calls and establish official mechanisms to invite stakeholders to nominate representatives for monitoring and reporting task forces and similar bodies.
- Review and improve existing tools used at the national level to assist in monitoring and reporting.
- In updating NBSAPs, prioritize Kunming-Montreal Global Biodiversity Framework targets through a consultative process that engages stakeholders from multiple sectors.

Opportunities for action relating to strengthening policy and legal frameworks for the implementation of MEAs, including through collaboration with the Montevideo Programme may include:

- Develop capacities to review, develop, implement, and enforce legal frameworks to tackle the biodiversity and pollution crises, especially through the Montevideo Programme V.
- Build the capacity of legal stakeholders at the national and regional levels to address environmental issues relating to biodiversity and chemicals, including the judiciary and law enforcement officials.
- As appropriate, review and develop targeted legal frameworks for environmental crime and complement them with specific national guidance materials (e.g., sentencing guidelines) and awareness-raising activities.
- Adopt multistakeholder approaches in the development and revision of environmental legal frameworks.
- Further develop guidance materials and promote existing knowledge products relating to the establishment of specialized environmental courts.
- Strengthen partnerships with universities and judicial training academies to offer national and international environmental law training.
- Strengthen the provision and receipt of technical legal assistance, including through UNEP-LEAP.

Opportunities for action relating to increasing cooperation on data, indicators, monitoring, reporting, review, and knowledge management may include:

- Allocate funding to research and collaboration with universities and research institutions, especially in the context of developing indicators and collecting data.
- Involve national statistical agencies in the collection and analysis of environmental data, including on topics such as natural capital accounting.
- Design mechanisms and tools to connect existing national databases focused on environment-related data.
- Promote cross-fertilization of monitoring efforts between the chemicals and biodiversity clusters to support and facilitate reporting, including through target 7 of the Kunming-Montreal Global Biodiversity Framework.
- Improve knowledge management across thematic clusters, including through the creation of a quick reference of available tools and knowledge products that are useful for MEA implementation and reporting.

6.2.3 Regional and International Cooperation

Opportunities for action relating to working together regionally and internationally on knowledge management, communications, and joint messaging relevant to both clusters may include:

- Develop a regional communication plan and collective key messages on collaboration and cooperation between the biodiversity and the chemicals & waste clusters.
- More welcome packages and orientation sessions for new focal points to ensure a smooth transition and transfer of knowledge. These welcome packages could include information on collaboration and synergies.
- Work collaboratively with UNEP and secretariats to make platforms and tools more user-friendly, updated, and tailored to national circumstances (e.g., allow for offline use and input of data).
- Design further capacity-building and training on the use of global tools (such as DaRT) and the implementation of international guidelines.

Opportunities for action relating to working together to facilitate technical and scientific cooperation may include:

- Take advantage of regional blocks, such as the Southern African Development Community, to raise the profile of key issues. This could also link with opportunities related to reporting.
- Strengthen bilateral and regional cooperation in priority areas, including transboundary environmental crime.
- Share good practices on national-level institutional and legal frameworks established to promote cooperation and collaboration between thematic clusters.
- Map, prepare, and broadly share national guidance materials on tackling environmental crime at the regional level.
- Utilize calls for submissions under MEAs as an opportunity to coordinate and raise awareness of priority areas for the region.
- Work with UN partners to translate guidance documents and guidelines into more languages.

Opportunities for action relating to encouraging financial institutions and mechanisms to support integrated approaches may include:

- Collaborate across clusters at all levels in mobilizing resources for capacity-building activities.
- Cooperate at all levels to develop cross-thematic project proposals for the Special Programme, the Global Biodiversity Fund, the GEF (including GEF-8 Integrated Programs), and other funding mechanisms.
- Connect to GEF national focal points, creating mechanisms for engagement and coordination at the regional level, and raising the awareness of GEF focal points concerning regional priority areas and projects.
- Broaden the scope of exemplary practices to encompass additional sectors, such as the GEF-funded PlanetGOLD Programme that includes biodiversity criteria for ASGM.

Opportunities for action relating to raising the profile of cross-cluster collaboration through intergovernmental processes and projects may include:

- Review and further develop bilateral cooperation agreements and standard operating procedures for the coherent implementation of MEA provisions.
- Establish community of practices at the regional and international levels for focal points and other government officials.
- Design sustainability strategies and guidance for projects addressing both clusters.
- Convene information sessions and training on how to use existing tools such as InforMEA, DaRT, *inter alia*.
- Convene more training workshops that bring together focal points working on different clusters, allowing for information-sharing, networking, and mutual learning.
- Study or report led by UNEP and secretariats to map interlinkages between MEAs and reporting on the Kunming-Montreal Global Biodiversity Framework targets, including on how to tie these into coherent NBSAP review (with a COP mandate).

6.3 Montevideo Programme V consultations

Annex VI of the present report includes a summary of the views expressed by participants during the consultations, encompassing common challenges, perceptions concerning environmental crimes that contribute to biodiversity loss the most, examples of good practices, and entry points for further collaboration and cooperation under the aegis of the Programme at the national and regional levels.

In general terms, participants noted that the environmental rule of law is the "glue" that links MEAs to national-level implementation and the Montevideo Programme V offers a major opportunity to address implementation and enforcement gaps of national environmental legal frameworks, building on existing initiatives. They identified several examples of substantive areas for possible future collaboration under the Montevideo Programme V, which included environmental rights; the right to a clean, healthy, and sustainable environment; the rights of environmental human rights defenders; emerging international environmental law issues such as ecocide and rights of nature; environmental crime and associated crime detection techniques; sentencing guidelines and formulas for calculating environmental penalties; and training of law enforcement authorities, including customs officers.

7 Way-forward

On the third day (31 August 2023), participants had the opportunity to discuss with their country peers and reflect on various guiding questions proposed by the organizers. The latter focused on what priorities had been identified and what were the key take home messages.

Each country reported back to the plenary on a series of takeaway messages and concrete actions they would take to follow up on the workshop in the short and long-term. These included:

- Convening joint briefing sessions for directors and other focal points about the outcomes of the workshop;
- Calling annual and/or biannual coordination between focal points working in the implementation of different MEAs;
- Strengthening or establishing coordination groups and institutional frameworks for integrated MEA implementation at the national level;
- Ratifying and domesticating MEAs from the biodiversity and chemicals & waste clusters, as well as updating relevant national legal frameworks as necessary;
- Reviewing NBSAPs in an integrated manner, identifying implementation gaps relating to biodiversity, chemicals, and waste;
- Developing stakeholder mapping exercises and formally integrating relevant stakeholders, including the private sector, into existing institutional frameworks and, as appropriate, mechanisms relating to MEAs;
- Improving national mechanisms for data collection and verification, including through the increased involvement of existing national statistical agencies;
- Strengthening or setting up integrated national databases for storing and managing environmental data;
- Taking advantage of the tools presented in the workshop to support national reporting processes;
- Creating awareness of the Montevideo Programme V nationally and appointing focal points for the Programme;
- As appropriate, requesting technical assistance, including through UNEP-LEAP.

8 Closing session

Reflecting on the concrete actions presented above, Ms. **Tita Korvenoja** provided closing remarks on behalf of UNEP. Ms. Korvenoja wholeheartedly thanked the government of Rwanda for its hospitality. She extended her appreciation and thanks to the participants, the donors, the secretariats of MEAs, resource persons, and all other colleagues for the fruitful workshop. She recalled that this event had been in preparation for long due to the COVID-19 pandemic and that it was great to hear the meaningful discussions that had taken place, including challenges, opportunities, and achievements. Participants demonstrated that the whole-of-government approach was needed and already happening at the country level. They appreciated the Rwandan model of organizing the work among MEA national focal points, which set an example in this field. She noted that the workshop came at a good moment after the adoption of the Kunming-Montreal Global Biodiversity Framework and during the negotiations for a new framework instrument for chemicals and waste. The takeaway messages from participants were encouraging, and the workshop gave a very good understanding of the situation at the country level. She reiterated that UNEP would be available to help and support countries in fostering collaboration and cooperation between the MEAs and the Montevideo Programme V at the national level. She also recalled the offer to convene a brief online discussion to follow up on the workshop outcomes in a few weeks. Ms. Korvenoja concluded by thanking participants again for their participation and reiterated that she looked forward to continued engagement and exchange.

On behalf of the CBD Secretariat, Mr. **Olivier Rukundo** thanked UNEP, the Government of Rwanda, and REMA for organizing the workshop and for the invitation. Mr. Rukundo thanked the Deputy Director General of REMA for his participation at the closing session. He expressed his sincere appreciation to the REMA team for a successfully organized event. He noted this was an important workshop for the CBD Secretariat. The event had been a success, and all participants had tangible outcomes to bring back home. He conveyed the eagerness of the CBD Secretariat to continue collaborating with UNEP to implement the Kunming-Montreal Global Biodiversity Framework and ‘walk the talk’ regarding in-house synergies. This involved making sure that they collaborated in a way that activities organized for the implementation of the Convention on Biological Diversity and the framework were done in a concerted way for the benefit of the countries. He further thanked the countries in the room and underscored the need to organize workshops of similar nature in other subregions and regions. With the adoption of the Kunming-Montreal Global Biodiversity Framework, urgent action across society was needed to achieve the goals and targets of the new framework. Mr. Rukundo noted that the first milestone would be CBD COP-16 in 2024, where countries would have an opportunity to share with the CBD Secretariat and the CBD COP how they had been progressing in revising their NBSAPs. He also noted that the ratification of the Global Biodiversity Fund represented an entry point for countries to mobilize resources. All countries were encouraged to start the work and identification of activities that were already in place or did not require resources to begin moving forward toward the implementation of the framework. He reiterated the availability of the CBD Secretariat to provide technical support to countries in the implementation of the framework. Mr. Rukundo concluded by informing participants of a series of NBSAP-related webinars that would be convened by the CBD Secretariat in the future and thanking colleagues from other secretariats for their continued collaboration and exchange.

Speaking on behalf of the BRS Secretariat, Ms. **Yvonne Ewang-Sanvincenti**, Legal Officer at the BRS Secretariat, expressed appreciation for the participation of the Deputy-Director General of REMA at the closing session. She noted this symbolized Rwanda’s firm commitment to work towards effective implementation of MEAs and, more generally, to synergies to facilitate that objective. Ms. Ewang-Sanvincenti thanked all participants for the open, transparent, and fruitful discussions. She underscored the importance for the MEAs Secretariats to hear from the Parties they serve and encouraged all

countries present to keep the conversation initiated in the workshop going. She noted the BRS Secretariat would always be open to assist and encouraged participants to continue the exchange with colleagues in the secretariats and UNEP, so as to enable them to provide the support needed. Ms. Ewang-Sanvincenti reiterated the availability of the secretariats to continue to present the different tools available, facilitate their use by Parties, and to support countries with additional tools and activities as may be appropriate. The secretariats would start a conversation on how to build on the outcomes of the workshop, and, from the BRS perspective, it had been encouraging to hear that participants were ready to take action. She concluded by thanking colleagues in UNEP and Rwanda for their warm hospitality.

Representing the Government of Rwanda, Mr. **Faustin Munyazikwiye**, Deputy Director General of REMA, greeted the UNEP representatives, secretariat representatives, and country delegates. Mr. Munyazikwiye noted that it was great to hear that the workshop was fruitful and provided a good understanding of the situation at the national level. He conveyed his special thanks to UNEP for bringing together countries to address the barriers impeding synergies between the biodiversity and chemicals clusters. Collaboration for environmental protection was critical, as climate change and biodiversity loss had no boundaries. He also thanked the secretariats for their steadfast support and presence throughout the workshop, as well as for their invaluable guidance provided to participants. Mr. Munyazikwiye highlighted that Rwanda was working towards tackling the three-fold plenary challenges posed by pollution, climate change, and biodiversity loss. In this context, synergies among MEAs were the way to go when working with national, regional, and global communities for a resilient and sustainable future. Speaking to the representatives of countries and organizations, he expressed his hope that they would go back home with concrete mechanisms for connecting the MEAs, developing national implementation plans, and collaborating with the secretariats for capacity-building technical support on the different tools for MEA reports to support the planet's well-being. He underscored the crucial role of proper planning and implementation. The need for collaboration and cooperation became increasingly evident in a deeply interconnected world. Therefore, planning together and working together were very important. On behalf of the Government of Rwanda, Mr. Munyazikwiye expressed their deep appreciation to all participants and organizers. He closed the meeting by saying that participants' commitment was a clear indication that they could make the world a better place.

Annexes

Annex I – List of background documents

1. Kunming-Montreal Global Biodiversity Framework;
2. Strengthening collaboration and coordination between biodiversity and chemicals and waste clusters;
3. Second Consultation Workshop of Biodiversity-related Conventions on the Post-2020 Global Biodiversity Framework (Bern II);
4. Implementation Of Multilateral Environmental Agreements Interactive Online Course;
5. Delivering for People and the Planet: Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law;
6. Assessment of linkages with other clusters related to chemicals and waste management and options to coordinate and cooperate on areas of common interest;
7. Global Climate Litigation Report: 2023 Status Review;
8. Guide on Ambient Air Quality Legislation - Air Pollution Series;
9. Regulating Air Quality: The First Global Assessment of Air Pollution Legislation;
10. Draft Report of Options for Clearly Defined Priority Areas to Strengthen, Develop, or Implement Appropriate Legal and Institutional Frameworks at the National or Sub-national level to Implement Biodiversity-related Goals and Commitments: Legal Responses to Combat the Biodiversity Crisis - Leveraging the Montevideo Programme.

For more information including the presentations in the workshop, please check the event page at <https://www.unep.org/events/workshop/workshop-implementation-biodiversity-chemicals-and-waste-meas-and-montevideo>.

Annex II – Provisional workshop programme

PROVISIONAL WORKSHOP PROGRAM (as circulated on 30 August 2023)

August 29-31, 2023 - Bugesera Rwanda

Day of Arrival – 28 August	
Objective: Participants' Introduction and Workshop Objective Alignment	
18:30-21:00	Welcome Buffet dinner hosted by UNEP at the Palast Rock Hotel, Restaurant Kwisanga
DAY 1 – 29 August	
Objective: Overview of the MEAs landscape, introduction to synergies work and Potential linkages of MEAs to the Montevideo Programme	
8:30-09:00	Opening session A) Opening and welcoming remarks B) Brief introduction of the program
09:00-10:30	Session 1.1: Landscape of MEAs and introduction to the synergies across biodiversity and chemicals/waste clusters A) General overview of the MEAs landscape B) Introduction to the existing and on-going work on synergies across thematic clusters of MEAs with a focus on biodiversity and chemicals and waste clusters.
10:30-11:00	Coffee Served
11:00-13:00	Session 1.2: Introduction to the GBF and SAICM+ with a focus on synergies across biodiversity and chemicals/waste clusters A) Introduction to GBF. Significance of GBF target 7 on pollution, along with other relevant GBF targets to the chemicals/waste cluster. B) Bridging Chemicals and waste and Biodiversity agendas: Possible entry points beyond MEAs. C) The effects of mercury and ASGM on biodiversity.
13:00-14:00	Lunch
14:00-14:30	Session 1.3: Setting the Scene: How the use of environmental rule of law can support effective implementation of MEAs. <ul style="list-style-type: none"> • Introduction to the role of environmental rule of law in MEAs implementation. • Example: Role of MEAs in implementing resolution A/RES/76/300 of the UN General Assembly.
14:30-15:30	Session 1.4: Introduction to Montevideo Programme and linkages to MEAs <ul style="list-style-type: none"> • Montevideo Programme V and areas of potential collaboration with MEAs. • Legal responses relating to biodiversity and pollution crises. • Introduction to the Breakout session
15:30-16:00	Break out Coffee Session
16:00-17:30	Session 1.5: Breakout session - Montevideo Programme and linkages to MEAs <ul style="list-style-type: none"> • Identification of ways to enhance joint implementation of MEAs through the GBF. • Collaborative strategies and potential entry points.
17:30-18:00	Wind up discussion from the Day 1
DAY 2 - 30 August	
Objective: Identification of practical tools and approaches for strengthening coherent implementation of MEAs	
8:30-10:00	Session 2.1: Introduction to Tools to assist Parties Information exchange and sharing tools: A) Practical walk through InforMEA B) Clearing House Mechanism -BRS (CHM) National reporting tools: C) DaRT D) Basel and Stockholm Convention reporting tools

	E) From Science to Action: using data to make mercury history
10:15-10:30	Introduction to the first breakout session
10:30- 12:00	Session 2.2: Breakout session I: Tools for cooperation and collaboration in preparing national reports and action plans <ul style="list-style-type: none"> • Exchange views on existing tools • Identify possible new tools to facilitate cooperation • How can coherence across national action plans and reporting be enhanced to safeguard biodiversity from chemicals of global concern?
12:00-13:00	Reports back from the breakout groups
13:00-14:00	Lunch
14:00-15:15	Session 2.3: Strengthening implementation through whole of government approaches A) Environmental Conventions Index B) Green Customs Initiative GCI C) REMA experience in the whole of government approach Introduction to the breakout session II
15:15-16:30	Session 2.4: Breakout Session II- Strengthening implementation through whole of government approaches <ul style="list-style-type: none"> • Identify entry-points for cooperation at the national level • Best practices already in place • Challenges to be addressed
16:30-18:00	Session 2.5: Reports back from the breakout session 2.4; Session 2.6. Discussion on improving national planning processes. <ul style="list-style-type: none"> • Key gaps and challenges in implementation of the MEAs and how these could be addressed with a focus on national reporting and strengthening legal frameworks. • Tools and approaches that support cooperation and coordination among the focal points
18:30	DINNER HOSTED BY REMA at UBUMWE GRAND (Kigali)
DAY 3 – 31 August	
Objective: Wrap up - outcomes of the workshop and the way forward	
9:00-11:00	Session 3.1: Wind up of Day 1 and 2 A) Summary of the key elements of the discussions B) Discussion on possible nexus areas, approaches, and tools to enhance whole of government approaches C) Identification of specific training needs, potential partnerships, and mechanisms for sharing knowledge and best practices
11:00-11:30	Coffee break – country reflections
11:30-12:30	Sharing the country perspectives: based on discussion during the coffee break - tour de table on the country feedback and take aways (identification of common interests and areas for future exploration)
12:30-13.30	Lunch
13:30-14:30	Session 3.2 Synthesis and way forward <ul style="list-style-type: none"> • Synthesizing the results of the discussions and the way forward • Identify specific follow-up points and actionable steps for implementation. • What are the remaining unanswered questions and what could be the next steps and follow-up action points to address these? • Recommendations on the main findings providing a basis for further discussions and activities.
14.30-15.00	Closing

Annex III – List of participants

Countries were invited to nominate participants, and the focal points listed in the present annex do not necessarily correspond to the official country contact points for the MEAs and instruments outlined below.

Angola
Santos Virgilio, Strategic Approach to International Chemicals Management Regional Focal Point
Botswana
Kabelo Magobadi, Convention on Biological Diversity (CBD) Focal Point
Kenosi Nkape, Convention on the Conservation of Migratory Species of Wild Animals (CMS) Focal Point
Luisa Moipolai, Minatama Convention on Mercury Focal Point
Onalenna Motlogi, CBD Focal point
Kenya
Edward Njuguna Kamau, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) Focal Point
Faith Nyokabi, CMS Focal Point
Linda Kosgei, Ag. Director Legal Services
Malawi
Mwayi Mkanthama, CBD Focal point
Tiyamike Salanjira, CBD Focal Point
Vicktoria Cathy Kachimera, Basel Convention Focal Point
William Mgoola, CMS Focal Point
Namibia
Natalia Heita, Montevideo Programme V Focal Point
Timoteus Mufeti, Focal Point for all Multilateral Environmental Agreements
Rwanda
Juliet Kabera, Director General, Rwanda Environment Management Authority
Faustin Munyazikwiye, Deputy Director General, Rwanda Environment Management Authority
Busokeye Marie Laetitia, CBD Focal Point
Indamutsa Myriam, Logistical Officer
Mukasibo Germaine, Communication expert
Ngaboyamahina Théogène, Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention) Focal Point
Patrick Umuhoza, Basel Focal Point
Rukwaya Jean Luc, CMS Focal Point
Rushema Emmanuel, Focal Point of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the CBD
Rutayisire Amande, Focal Point of the Cartagena Protocol on Biosafety to the CBD
Sangwa Erneste, CBD Focal Point
Tushabe Rachael, Focal Point to the Basel Convention and the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention)

Valery Gatere, Transportation
Tanzania
Bernadetha Sinyaw, CMS Focal Point
Subilaga Mwakibete, Basel Convention Focal Point
Uganda
Anne Nakafeero, Minatama Convention on Mercury Focal Point
Nancy Alimadi, Basel Convention Focal Point
Sabino Francis Ogwal, CBD Focal Point
Sarah Naigaga, Montevideo Programme V Steering Committee Member
Zambia
Chipoka Edward, Stockholm Convention Focal Point
Dauchi Allan, CBD Focal Point
Karen Banda, Montevideo Programme V Steering Committee Member
Lukwesa Given, Basel Focal Point
Zimbabwe
Aaron Chigona, Director, Environmental Management Agency of Zimbabwe
Christopher Mushava, CMS Focal Point
Last Hwengwere, Minatama Convention on Mercury Focal Point
Pauline Nhunzvi, Montevideo Programme V Focal Point
United Nations Environment Programme and MEAs Secretariats
Patricia Mbote, Director, Law Division
Tita Korvenoja, Chief of Branch, Environmental Conventions and Policy Branch, Law Division
Sylvia Bankobeza, Legal Officer, Law Division
Eva Duer, Legal Officer, Law Division (online)
Haddy Guisse, Programme Management Officer, Law Division
Dorothy Obuya, Programme Management Assistant, Law Division
Jessie Muhangi, Programme Support Officer, Law Division (online)
Malgorzata Stylo, Associate Programme Management Officer, Chemicals and Health Branch
Alexander Mangwiro, Programme Management Officer, Africa Office
Olivier Rukundo, CBD Secretariat
Yvonne Ewang-Sanvincenti, BRS Conventions Secretariat
Manoela Pessoa De Miranda, Minatama Convention on Mercury Secretariat (online)
Sarah Lucas, CMS Secretariat (online)
Other participants supporting the workshop
Marina Demaria Venâncio, United Nations Environment Programme World Conservation Monitoring Centre
Niko Urho, Independent Consultant
Olga Skaredina, Northeastern University

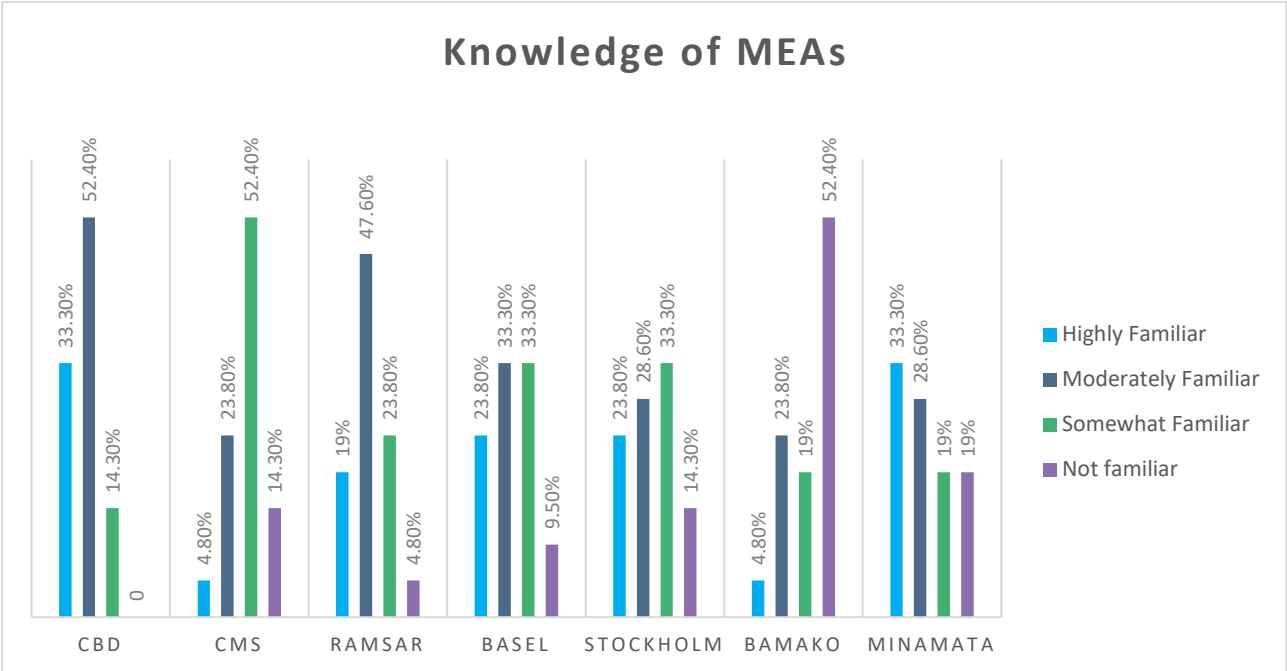
Annex IV – Analysis of responses to the pre-workshop questionnaire (as prepared by UNEP)

QUESTIONNAIRE ANALYSIS

Invited Participants	39
Received Responses	21

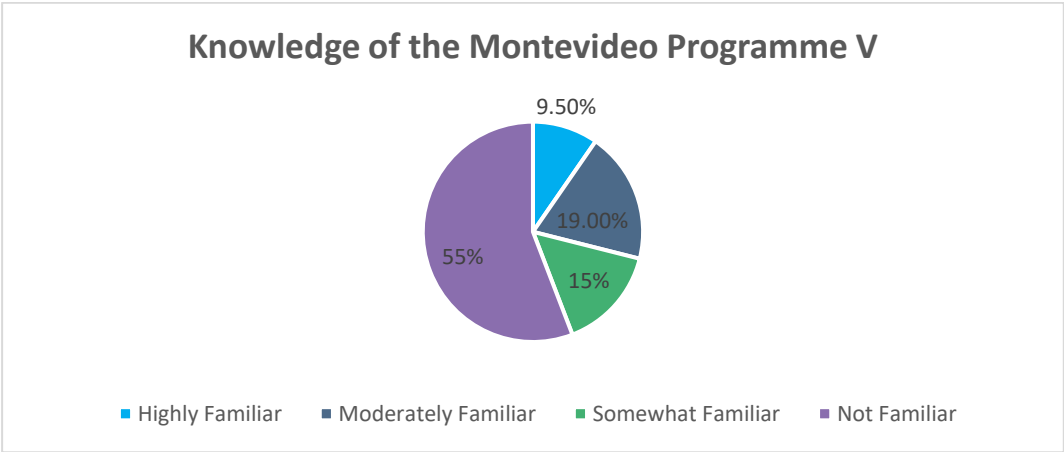
Question 1 (I-VII): Familiarity with MEAs

In relation to familiarity with MEAs, about 52 % of the respondents indicated that they are moderately familiar with the Convention on Biological Diversity (CBD), whilst 52% indicated that they were not familiar with the Bamako Convention.



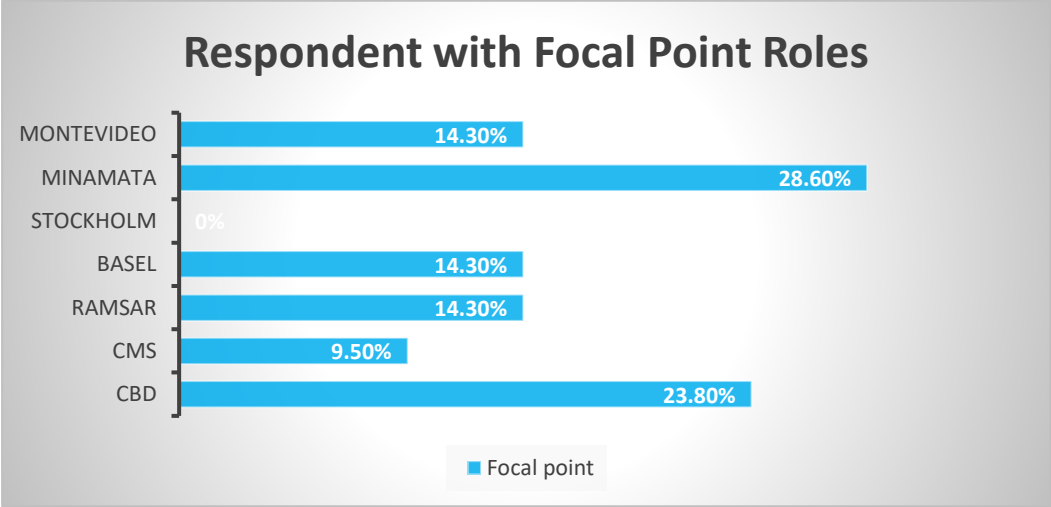
Question 2: Familiarity with Montevideo Programme V

In terms of the Montevideo Programme V, 55% of the respondents were not familiar with the Montevideo Program V. This highlights an area where awareness and understanding require improvement.



Question 3: Focal Point Role

In terms of focal points roles, most of the respondents are focal points to the Minamata Convention and the CBD, with none of the respondents being focal points to the Stockholm Convention. However, there are 2 Stockholm Convention Focal points participating in the meeting. The responses also include 2 directors who oversee multiple conventions.



Question 4: Challenges in MEA Implementation

The survey further identified different challenges faced in the implementation of MEAs at the national level, which include;

- Level of mainstreaming is low
- Lack of institutional representation and accountability.
- Limited personnel
- Financial constraints.
- Proper understanding of linkages within these thematic issues so that implementation programs focus on these overlapping aspects rather than working in isolation.
- Inadequate public awareness of the processes involved in the transboundary movement of hazardous waste.

- There are limited synergies among the conventions at the national levels, hence limiting harmonized implementation.
- Lack of consistent data trend hinders reporting on progress and limit the implementation of NBSAPS.
- Data management structures are not in place.
- Limited guidelines for effective implementation (Specific to MV)
- Some targets are out of scale at national level (Specific to MV)

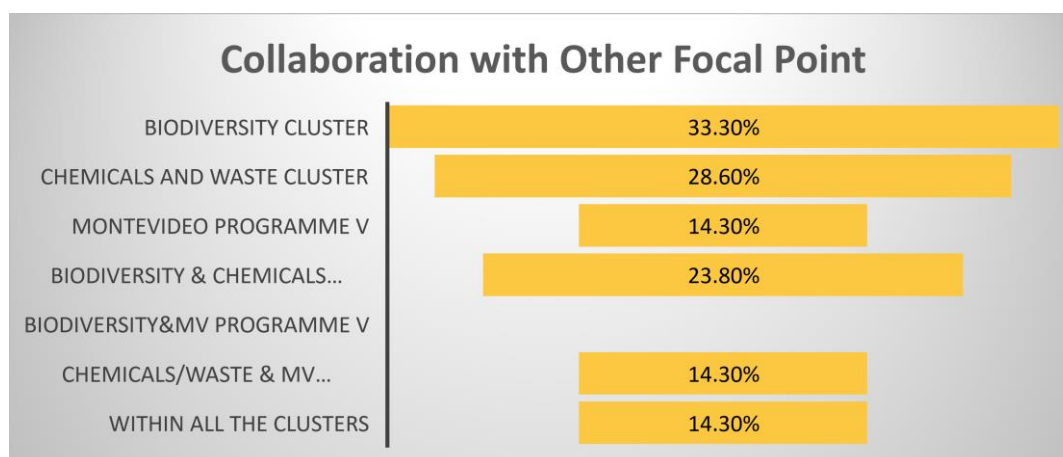
Question 5 (i-ii): Involvement in Development of Biodiversity related laws, Pollution and/or Chemicals and waste related laws.

In terms of participation in the development or implementation of laws related to biodiversity, pollution, and chemicals/waste, about 71.4% of the respondents have been involved in the development or implementation of laws related to biodiversity, pollution, and/or chemicals/waste. Some of the challenges they experience in their involvement include:

- Lack of legal frameworks
- Need for the revision of the regulatory framework to deal with implementation challenges and to address emerging issues
- Awareness creation
- Lack of strong inter agency coordination (Working in isolation by focal points)
- Lack of data

Question 6 (i-ii-iii): Coordination with Other Focal Points

Participants were asked about the level of collaboration and coordination with other focal points from different clusters. There are various types of coordination mentioned, and some participants seem to coordinate across multiple clusters as shown in the table below. Based on the survey, the collaboration between Biodiversity clusters and Montevideo Programme seems to be non-existent.



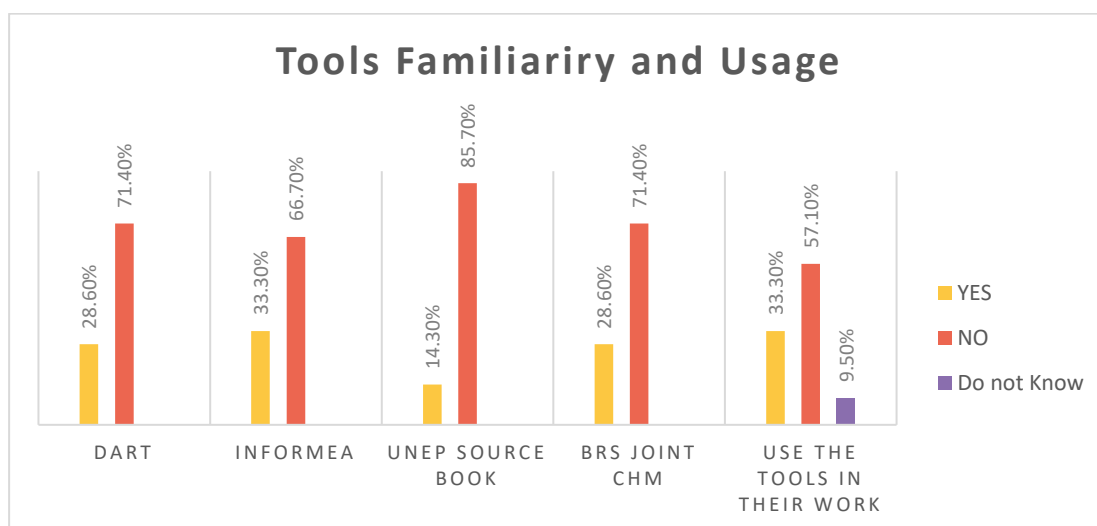
Question 7: Promoting Cooperation and Collaboration

The responses to this question highlight participants’ belief that more can be done to promote cooperation and collaboration among focal points, which indicates a desire for enhanced synergies and collaborative action. Responses show that most participants believe that the following could help in enhancing synergies;

- Mainstreaming of environmental issues / the whole of government approach.
- Involvement of focal points of other MEAs to enhance synergies during development of implementation plans.
- Implementing joint regional projects.
- Development of cross cutting reporting indicators.
- Multistakeholder partnerships.
- Joint enforcement initiatives

Question 8 (a-d, ii-iii): Tool Familiarity and Usage

The responses vary, with participants being familiar with different tools related to MEAs. This indicates a diverse range of tools being utilized in their work. Overall, the Participants are not very familiar with the tools nor use them in their work as Focal points (see the chart below).



Question 8 (ii-iii): Other Knowledge Management Tools

Participants were asked about additional tools or guidelines that they use at national level. Some participants mentioned specific tools listed below:

- Ramsar handbooks/CMS Manuals
- Ramsar Information Services (RIS)
- REDD+, FAO Voluntary Guidelines on National Forest Monitoring

Question 9: Workshop Expectations and Goals

The listed expectations and goals for the workshop provide insights into participants' desires.

- Case studies on best practices on synergies and collaborations amongst the countries.
- How to use the various knowledge management tools and guidelines
- Reporting requirements.
- Learn more about MEA implementation and how synergies can be created
- Learn more about the Montevideo programme and how to leverage on it

Annex IV – Support papers for the breakout group discussions (as prepared by UNEP)

Breakout session I: Montevideo Programme and Linkages to MEAs

Tasks for breakout session I:

- Identify potential legal responses to combat the biodiversity crisis, related strategies and actions at the national and regional level, which can be delivered under the framework of Montevideo Programme V from 2024-2029.
- Identify areas that biodiversity links with pollution from chemicals and wastes, including any practices, guides or other aspects that could be replicated across the clusters.
- Define clear priority areas among the potential legal responses options which have been identified as areas of collaboration with MEAs

Introduction - Understanding the Current Montevideo Programme

The Fifth Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V) was adopted by the United Nations Environment Assembly (UNEA) Resolution 4/20, to identify priority actions and develop and implement environmental law from 2020 to 2029. Montevideo Programme V has designated national focal points from most countries, and it holds Global Intergovernmental Meetings for National Focal Points to identify priority actions in environmental law and to review implementation of the program. A Steering Committee for Implementation of Montevideo Programme V is in place with representatives from all regions to guide the process of identification and implementation of priority actions in the field of environmental law to be undertaken by UNEP, in collaboration with other relevant partners, for the decade.

The Regional Stakeholders Consultations on Legal Responses to the Biodiversity Crisis are organized to identify areas of advancing biodiversity law and strengthening institutions Which UNEP and partners can implement under the framework of Montevideo Programme from 2024-2029 to respond to the biodiversity crisis.

Mandate

Under a number of different MEAs, Parties have various obligations related to the adoption of appropriate legislative, administrative and other measures to implement these MEAs. Some of these obligations allow a certain amount of discretion to the Parties to determine what would be the measure to ensure compliance with their obligations and facilitate enforcement actions. The importance has been recognized and reinforced by decisions adopted by the MEAs governing bodies, not only directly related for example on national legislation, prevention and combatting illegal traffic, but also on other related matters such as the provision of technical assistance.

At the June 2022 Meeting of National Focal Points for the Montevideo Programme V, the focal points agreed on one area of focus for the legal responses related to biodiversity crisis. This area which was agreed as a focus area was on *“Legal responses to enhance compliance with and enforcement of biodiversity related laws, including criminal laws and institutions, are developed in and among countries.* In addition, the national focal points of Montevideo Programme V went on to request UNEP in consultation with national focal points for Montevideo Programme V and related stakeholders 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.

Biodiversity related Goals and Commitments.

The goals and commitments related to biodiversity emanate from MEAs such as the Convention on Biological Diversity (CBD) and related Protocols; the Convention on International Trade in Endangered Species (CITES); the Convention on the Migratory Species (CMS); the Desertification Convention UNCCD, the Ramsar Convention. Other important goals and commitments here are the Kunming-Montreal Global Biodiversity Framework and Agenda 2030 on Sustainable Development. In addition the regional and sub-regional instruments on nature and biodiversity also fall into the category of commitments and goals. The participation of MEAs here is crucial in ensuring coherence in coordinating, implementing and delivering activities for Montevideo Programme V and in avoiding any duplication of effort.

Questions for the breakout groups

Topic 1: Strengthening legal frameworks related to biodiversity at the national subnational and regional level.

What currently exists at each level in terms of legal frameworks? What are the specific gaps in this area of strengthening legal frameworks? What is the target group? Partners? What is the Strategy or Option which is needed? Have any good or best practices been identified that could be replicated elsewhere, which could include bringing a practice from one cluster into the other? Suggest some activities including regional priorities if any.

Topic 2. Building capacity of various stakeholders to implement biodiversity related MEAs including the GBF.

What type of capacity building initiatives are needed to fill the capacity gap in this area? What are the target groups? Do we have potential partners? What are the strategies or priority actions which are needed?. Suggest some activities.

Topic 3. Strengthening enforcement and criminal laws in the area of biodiversity to address biodiversity loss.

Is this a priority in the region or for various countries? Are there any initiatives to take common action at the regional level or between those countries? Who are the target groups? What kind of crimes are mostly contributing to biodiversity loss? Potential partners? What are the strategies or priorities which are needed;. Suggest some activities.

Topic 4. Addressing knowledge gaps on key aspects of legal responses to the biodiversity crisis in the region by developing knowledge products

Are there any knowledge gaps relating to legal responses on biodiversity which can be filled by knowledge products? What areas need a multimedia guide, legislative guide, or other legal guidance material for better appreciation of biodiversity related environmental laws and other areas of governance? Target group? Potential Partners? What are the Strategies or Options which are needed)? Suggest some activities.

Breakout Session II - Strengthening implementation through whole of government approaches

Tasks for breakout session I:

- Identify opportunities for cooperation across the different entities at the national level
- Highlight effective existing practices for cooperation
- Identify prevailing challenges for cooperation and suggest how these may be addressed

The adoption of the Kunming Montreal Global Biodiversity Framework (GBF) underscores its foundation upon a holistic **whole-of-government and whole-of-society approach**. The successful implementation of the GBF will require political will and action at the highest level of government as well as concerted by all levels of government and by all actors of society.

The Strategic Approach to International Chemicals Management (SAICM) has also long embraced a multi-sectoral and multi-stakeholder approach. The SAICM Global Plan of Action encompasses several activities aimed at governments to formalize inter-ministerial and multi-stakeholder coordinating mechanisms on chemicals management issues, enabling the consolidation of information and reporting and coordination of national positions in international meetings

Similarly, the Basel and Stockholm Conventions include provisions related to legal and institutional frameworks to implement the Conventions and various decisions of the Conferences of the Parties to the respective Conventions have recognized the importance of engagement with different stakeholders. Greater legal and institutional strengthening, as well as the importance of multi-stakeholder engagement has been underscored in a number of different strategic documents in the context of the Conventions for example in the Strategic Framework for the Basel Convention and the 3 main proposed goals for the draft renewed strategic framework and the effectiveness evaluation of the Stockholm Convention.

Promoting the whole-of-government and whole-of-society approach is achievable through collaborative mechanisms. Numerous countries have established national committees for Multilateral Environmental Agreements (MEAs), for 2030 Agenda on Sustainable Development and other pertinent instruments. These committees serve as platforms to converge relevant sectoral ministries, academia, NGOs, and representatives from the private sector. Furthermore, the convergence of national focal points across different MEA clusters holds significance.

Effective implementation and follow-up of MEAs and related instruments demand involvement and dedication from all relevant stakeholders. In some instances, this might entail task delegation to individual committee members to foster a sense of ownership. While doing so, the overarching responsibility of the MEAs focal points to carry out their assigned tasks under the MEA remains paramount. Strengthening the main national committee through subcommittees, each focusing on distinct aspects of the convention may also be considered. However, the different ways of strengthening whole-of-government approaches vary from country to country and in general these cannot be considered as “one size fits all”.

Delving into targets that specifically engage ministries beyond the environment ministry is pivotal. Notably, GBF Target 14 underscores the comprehensive integration of biodiversity considerations across policies, regulations, planning, development processes, poverty eradication strategies, Strategic Environmental Assessments (SEAs), Environmental Impact Assessments (EIAs), and national accounting. This integration spans all government tiers and sectors, particularly those with notable impacts on biodiversity. Other pertinent targets encompass:

- Target 10 aimed at sustainable management of areas under agriculture, aquaculture, fisheries and forestry. [Relevant for agriculture, forestry, and fisheries ministries]

- Target 15 that aims to ensure that large and transnational companies and financial institutions regularly monitor, assess, and transparently disclose their risks, dependencies and impacts on biodiversity [relevant for banks, investors, and insurers]
- Target 18 that seeks to eliminate, phase out or reform incentives, including subsidies, harmful for biodiversity, and scale up positive incentives [relevant for ministries of finance]
- Target 22 that aims to ensure access to justice and information related to biodiversity by indigenous peoples and local communities.
- Target 23 that aims to ensure a gender equality in the implementation of the Framework.

The draft Beyond-2020 Framework for sound management of chemicals and waste²¹ underscores heightened engagement across sectors and with stakeholders. It recommends governments' development or enhancement of regulatory and non-regulatory frameworks, institutional structures, and capacities at the national level to foster multi-sectoral coherence. Pertinent targets include:

- Target D6 - By 20xx, sustainable chemical and waste management strategies have been developed and implemented for major economic sectors [with intense chemical use], which identify priority chemicals of concern, standards and measures to reduce [hazardous] chemical [input and footprint] [impact] along the value chains,
- Alt E1. By 2030 governments have mainstreamed the sound management of chemicals and waste through implementation in all relevant national sectoral plans, [economic budgeting processes,] development assistance policies and programmes
- Target E6 – [By 20XX policies for sound management for chemicals and waste are integrated into key sectoral policies] All stakeholders identify and strengthen synergies and linkages between chemicals [and] [waste] and other environmental, health and societal [and labor] priorities, such as climate change, biodiversity, human rights, universal health coverage and primary health care.
- Etc.

Questions for the breakout groups

Drawing on your experience, either from the biodiversity or the chemicals and waste perspective, exchange with others in your group on:

Topic 1: Opportunities, mechanisms, and modalities for cooperation

- Please share any opportunities, mechanisms, and modalities for cooperation at the national level that you have identified and used ?

Topic 2: Current practices of cooperation

- Which of the existing practices have you considered effective, and which have been less effective? Why?
- Please kindly share any challenges identified or encountered and possible ideas, pathways to address these.

²¹ [https://www.saicm.org/Portals/12/documents/meetings/IP4_2/SAICM_IP.4_12_%20\(1\).docx](https://www.saicm.org/Portals/12/documents/meetings/IP4_2/SAICM_IP.4_12_%20(1).docx)

Breakout session III: Tools for cooperation and collaboration in preparing national reports and action plans

Tasks for breakout session II:

- Exchange views on experiences using the existing tools.
- Identify possible new tools to facilitate cooperation.
- Explore ways that national action plans and reporting can be enhanced to safeguard biodiversity from chemicals of global concern, thereby improving implementation of biodiversity and chemicals and waste MEAs.

National action plans and reporting:

Reporting is needed to enhance transparency and accountability, as well as to help measure progress in achieving the objective and targets of MEAs and other instruments. Reporting is included as a mandatory requirement for most MEAs. Even though the reporting intervals and formats vary to some extent, it is possible to find entry points for joint reporting. For instance, reporting under Target 7 on pollution under the GBF may provide grounds for coordinated reporting input as well as development of joint indicators to facilitate monitoring. The role of online reporting tools is indispensable for facilitating coordinated reporting.

Biodiversity cluster:

The adoption of the Global Biodiversity Framework (GBF) underscores its action-driven and results-oriented nature. It aims to guide and encourage the revision, development, updating, and execution of policies, goals, targets through national biodiversity strategies and action plans at all levels. It also seeks to enhance the transparency and responsibility of progress monitoring and review across levels.

Chemicals and waste cluster:

A number of different obligations exist in the chemicals and waste cluster to transmit national information about a Party's implementation of a multilateral environmental agreement, be it in the form of a national report, action plan, implementation plan or similar document. To assist Parties to implement their obligations and to facilitate information exchange regarding the MEAs, tools have been developed, adopted and are available online.

Parties report using electronic reporting systems for the Basel and Stockholm Conventions, both of which have guidance to assist Parties complete and transmit their national reports. There are also other documents and tools available to assist in this obligation, including a Reporting Dashboard for both conventions, or a Benchmark report aimed at facilitating reporting under the Basel Convention.

Parties to the Stockholm Convention also have an obligation to develop and endeavour to implement national implementation plans, which need to be transmitted within the timelines set out in Article 7 of the Convention. The Minamata Convention includes the development of National Implementation Plans (NIPs), which are voluntary. Moreover, Under the Minamata Convention, the development of National Action Plans for Artisanal and Small-scale Gold Mining (ASGM) is mandatory for each Party that determines that ASGM and processing in its territory is more than insignificant. Furthermore, the draft Beyond-2020 Framework for sound management of chemicals and waste underscores the establishment of inter-ministerial or inter-institutional arrangements, such as national plans of action for implementation, at the governmental level.

Questions for breakout groups

Topic 1: Existing reporting tools

- Looking at existing reporting tools: what works well, what needs to be improved and what are the gaps?

Topic 2: Facilitated access to biodiversity-related data and tools:

- Which additional mechanisms can leverage and link existing capacity and data available at national, regional, and global scales to address gaps in data availability

Topic 3: Development of integrated reporting tools

- Besides financial resources, what type of support is needed for the development of integrated biodiversity information networks and governance at the national level?

Topic 4: Entry points for joint reporting with the Kunming- Montreal Global Biodiversity Framework

- What would it take for countries to develop joint reporting formats for purposes of ensuring coherent reporting on the targets/indicators of the Kunming Global Biodiversity Framework?

Annex V – Compilation of outcomes from the Montevideo Programme V stakeholder consultations

This annex provides an overview of the notes taken by rapporteurs during the stakeholder consultations on the Montevideo Programme V, and it was not formally edited.

During the consultations, participants were divided into four breakout groups and considered 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.

Participants noted the following challenges while implementing the Montevideo Programme V at the national level:

- Most countries have established national laws and domesticated MEAs. However, these national laws need to be revised in a timely manner to reflect environmental problems, new global perspectives, and current circumstances.
- Participants called attention to the fragmentation of international and national environmental law. National laws tend to be fragmented, which leads to issues relating to coordination, their implementation on the ground, and inadequate synergies between MEAs and focal points.
- Implementation and enforcement of environmental legal frameworks relating to biodiversity and chemicals continue to be a major challenge.
- Environmental legal frameworks and ministries working on environmental matters often operate in silos. There is a lack of coordination between different departments, ministries, and focal points. Hence, there is a need to synergize in the development and implementation of legal frameworks at the national level.
- Some countries do not have an environmental protection agency (in addition to an environment ministry). In other cases, the environment ministry and the environmental protection agencies do not cooperate because the respective mandates have not been defined carefully.
- Participants also noted that the capacity to develop, monitor, and report on environmental legislation is often limited due to insufficient human resources and budgetary and financial deficits.
- There are many challenges in developing and reviewing legal frameworks for the sound management of chemicals and waste. National legislation and regulations related to chemical management need major revisions, and participants shared difficulties enforcing these instruments. For instance, it is challenging to establish the causal link between chemical exposure and its impacts on health and biodiversity, as well as provide sound scientific evidence in courts (for environmental crimes).
- Many countries expressed a need for a dedicated criminal law addressing environmental issues. They also noted a need for sentencing guidelines and the development of a formula to calculate environmental penalties.
- Collecting and formulating evidence to tackle environmental crime is a challenge, particularly in relation to chemical pollution. National laws should describe specific offenses and prescribe penalties for various environmental crimes.

- Participants described a need to strengthen legal frameworks related to biodiversity at the national, subnational, and regional levels. They also underscored challenges while linking biodiversity laws to other national legal frameworks.
- Participants noted that most countries still need to put in place bilateral cooperation agreements to combat environmental crime.
- Participants noted contradictions between long-established practices and national laws, which need to be addressed through awareness-raising initiatives.
- Participants flagged limited biodiversity and natural resources understanding/awareness by prosecutors, judges, lawyers, and other relevant stakeholders.
- There needs to be a higher awareness and education of the general public around biodiversity-related issues.
- There is also a lack of curriculum and formal national and international environmental law education.
- Participants noted that some UN guidance documents are not translated into all official languages.
- There is a need to further develop technical capacities and limited information available on tools and resources.
- Gap in the market to provide easily available and affordable equipment/initiatives (alternatives to LED in hunting) to protect wildlife.
- Participants likewise underscored challenges in bilateral cooperation between neighboring countries.
- Lastly, knowledge gaps include a lack of access to and benefit sharing (ABS) mechanisms for biodiversity, digital sequencing information on biodiversity, information on the value and cost of resources, especially by the local communities (natural resources accounting), lack of guidelines for evaluating the cost of resources due to limited information on the value of products, rights, and obligations relating to biodiversity, rights of nature, complex information on biosafety and GMOs.

On the question of what kind of crimes are mostly contributing to biodiversity loss, participants highlighted the following: poaching, pollution-related crimes (including sea, air, and land pollution), land degradation, legacy or current tailings that have not been remediated or restored, sand mining, bush, and forest fires, immature trees used for construction, illegal fishing, illegal chemicals trade, over-fishing, water pollution from chemical pollution, streambed cultivation, illegal logging (deforestation).

Participants underscored the following examples of good practices, tools, and approaches to improve collaboration, coordination, and coherence at the national level:

- Using the polluter pays principle.
- National legislation banning the use of single-use plastics.

- Graduate internship training in different government departments.
- Clearly defined mandates for ministries and environment protection agencies to minimize conflicts and ensure a clear division of labour.
- Community-organized work (e.g., national clean-up day once a month).
- Cooperating and consulting stakeholders to find alternatives to environmental problems.
- Transboundary cooperation.
- Information-sharing between countries in the same region.

Participants highlighted the following entry points and technical areas for collaboration and cooperation at the national and regional levels:

- Bilateral cooperation is one of the responses that can support a strengthened legal response to the biodiversity crisis. There is indeed cooperation between countries, but regional cooperation to address biodiversity crimes of transboundary nature should be reinforced and encouraged. This goes hand in hand with strengthening customs regulations and building the capacity of customs officers on transboundary crimes.
- Environmental (reference) laboratories and analytical services.
- Sharing data and information relating to developing and implementing environmental legal frameworks, including model laws.
- Developing environmental law curricula and increase the offer of public lectures in higher education institutions and judiciary training institutions.
- Develop integrated information systems for biodiversity and pollution.
- Training of authorities and government officials at all levels of Administration and the Judiciary, including customs officers, investigators, and judges who work on environmental cases.
- Development of standard operating procedures.
- Awareness-raising activities, including information, education, and communication (IEC) activities.
- Wildlife crime enforcement.
- Celebrating International Environmental Days.

Participants also listed several stakeholders and potential partners for the Montevideo Programme V, including:

- The East African Community.
- Secretariats of MEAs, including the secretariat of the Revised African Convention on the Conservation of Nature and Natural Resources.
- United Nations Country Teams.

- INTERPOL.
- Donor countries.
- Private sector.
- Development partners.
- Civil society organizations.
- Academia.
- Local communities.
- Judges and prosecutors.
- Lawyers.
- Customs officers, police officers, and other law enforcement officials.
- Government officials.
- Faith-based organizations.
- Traditional healers.
- Local authorities.
- Community-based conservation organizations.
- General public.

As possible ways forward relating to various focus areas of the Montevideo Programme, participants suggested:

- Revision of national legal frameworks to reflect emerging environmental problems.
- Continuous capacity-building for relevant experts, national focal points, and government officials, including developing, interpreting, and reviewing national legal frameworks.
- Initiate a mapping exercise of relevant focal points and other stakeholders to inform the development of a coordinated approach to implementing environmental laws and regulations. It is important to recognize that various stakeholders have different needs, including academia, schools, government agencies, the private sector, non-governmental organizations, local communities, media, the judicial system, customs agencies, law enforcement agencies, and parliamentarians involved in biodiversity-related MEAs.
- Establish environmental committees and other coordination mechanisms at the local and national levels and build their capacities.
- Joint programming among the partners of activities under the United Nations Sustainable Development Cooperation Frameworks (UNSDCFs).
- Establish specialized environmental courts.

- Strengthen inspection techniques for collecting evidence, especially regarding environmental crimes relating to chemicals and waste.
 - Evidence-based approach and communicating evidence in a court of law.
 - Link environmental crimes to other broader crimes and related legislation.
 - Develop targeted laws for environmental crime and complement them with awareness-raising activities to address root causes.
 - Strengthen bilateral and regional cooperation, particularly on transboundary environmental crime.
 - Provision of technical legal assistance to countries to address some of the abovementioned challenges.
 - Consider developing strategies and options such as developing protocols, national guidelines on different aspects relating to biodiversity, communication tools, knowledge tools, modal protocols or guidelines on access and benefit sharing (ABS) mechanisms for biodiversity, and digital sequencing information on biodiversity.
 - Consult various stakeholders, including communities, when developing, implementing, and enforcing legal and institutional frameworks to address the biodiversity and pollution crises.
 - The Montevideo Programme V can play an important role in raising awareness across various stakeholders.
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