



EVALUATION REPORT

UNEP Seventh Global Training Programme in Environmental Law and Policy (GTP-7)

Nairobi, Kenya, 7 – 18 November 2005





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1. Summary

1.1 Background

The Division of Policy Development and Law of the United Nations Environment Programme held its Seventh Global Training Programme on Environmental Law and Policy (GTP-7) from 7 to 18 November 2005 in Nairobi, Kenya. The Training Programme, which is organized every two years, focused this year in particular on law and policy aspects of:

- 1) Biological diversity, in particular biosafety;
- 2) Chemicals, in particular the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants; and
- 3) Climate change, especially the Clean Development Mechanism.

These topics were offered because of the recent developments that have taken place in these areas, so that the training would be of maximum benefit.

1.2 The Purpose of the Course

The purpose of the Training Programme was to build broad knowledge in the respective focus areas, as well as in other related areas of environmental law and policy, in order to strengthen the individual capacity of the participants to assist in the development of a sound environmental policy and an efficient environmental legal framework in their countries. In addition, the Training Programme aimed to provide a forum for the exchange of national experiences between the representatives of the participating countries with regard to environmental law and policy. The Training Programme was held based on UNEP's mandate to provide for environmental law training to a broad range of national stakeholders engaged in the development, implementation and enforcement of environmental law, and pursuant to the Bali Strategic Plan for Technology Support and Capacity-building.

1.3 Participant Structure

The participants of GTP-7 were mainly government officials at mid-career level, with most of them attached to their country's Ministry of Environment. The majority of the participants are working as legal officers or legal advisors, involved in the drafting of national environmental legislation in general or of legislation with regard to biodiversity, chemicals or climate change. Many of them are responsible for implementation of and compliance with Multilateral Environmental Agreements (MEAs), including developing national action plans concerning MEAs, or assisting in creating national policy in connection with the three focus areas of the GTP-7. 46 participants from 44 countries from all regions of the world attended GTP-7. The large majority of representatives (44 of 46) came from developing countries and countries with an economy in transition. There were 21 female and 25 male participants, and their average age was 36 years.

1.4 Participant Recruitment and Selection Criteria

UNEP invited all member states of the United Nations to nominate two candidates for GTP-7, while indicating selection criteria, and announcing that only one candidate of each country would be selected, if eligible. The selection process was designed to ensure equitable geographical distribution and gender balance, and took into account personal, professional and academic qualifications, as well as the potential impact that participants could achieve upon their return. Participation of professionals who were, or would be, working in one of the specific focus areas of the GTP-7 was in particular encouraged. In the selection process, priority was given those countries that had not yet participated in previous editions of UNEP's Global Training Programme, or had participated only once or twice. Finally, adequate knowledge of English was required, since the working language of GTP-7 was English only. After receiving 187 applications from 94 countries UNEP selected 50 participants from around the world for GTP-7. Three participants cancelled at the last moment, after tickets had been sent. UNEP Regional Offices have also been involved in the selection process.

1.5 General Structure of the Course

The duration of the Training Programme was two weeks. The sessions during the first week took place at UNEP Headquarters, Gigiri, while the second week was organized in the hotel where participants were accommodated (Safari Park Hotel, Nairobi). At completion of the training, participants were awarded a certificate. The Global Training Programme covered three main topics (see above under 1.1). Further, a range of closely related subjects was discussed, including international environmental law in general, treaty law, interlinkages between MEAs, multilateral negotiations, specific MEAs such as CITES and CMS, and the operation of the Global Environmental Facility. The Training Programme consisted of a combination of lectures and active participation in the form of group discussions and exercises. See for the detailed Programme the attached agenda as well as the elaboration of the agenda items in the report of the GTP-7, also annexed.

1.6 Resource Persons

UNEP staff members, including attached to CITES and CMS Secretariats contributed to the realization of the Training Programme. There were three external resource persons available, one for each of the special focus areas of the GTP-7, who were renowned experts in their respective professional areas. The full list of participants is attached for further details.

1.7 Excursions

On Saturday 12 November, the programme included a field trip to Elsamere Conservation Centre, Hell's Gate National Park, and a boat ride on Lake Naivasha. The excursion lasted a whole day and had an informative and practical character. It included a lecture on local environmental problems concerning the lake, and gave participants the opportunity to be exposed to Kenya's rich biodiversity in the Lake and in Hell's Gate National Park.

2. Evaluation of the Course

The participants filled in two evaluation forms, one after the first week and one after completion of the second week. There was also an evaluation session at the end of the course, providing participant to give their comments and suggestions orally.

In this evaluation of GTP-7, two standards of rating were used. Most questions could be answered according to the following standard of rating:

1	2	3	4	5
very poor	Poor	OK / I don't know	Good	very good

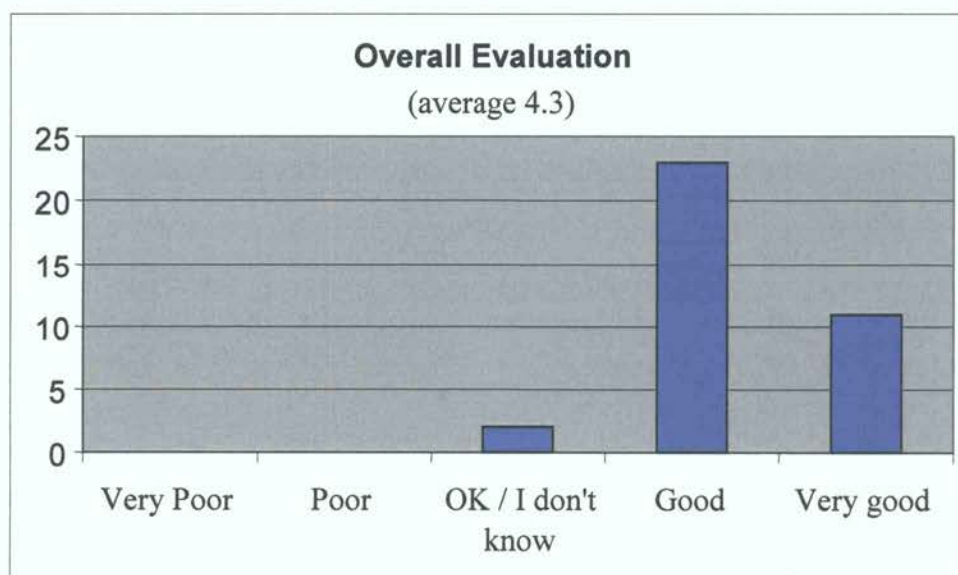
While other questions could be answered using the following rating:

-2	-1	0	+1	+2
should be significantly reduced	should be slightly reduced	OK / I don't know	should be slightly increased	should be significantly increased

The evaluation report includes some of the significant remarks given by the participants, and a short conclusion will be given at the end of this evaluation report.

2.1 Overall Evaluation

The overall evaluation of the course was positive. The participants rated the course with an average of 4.3 and the participants were generally pleased about the course.

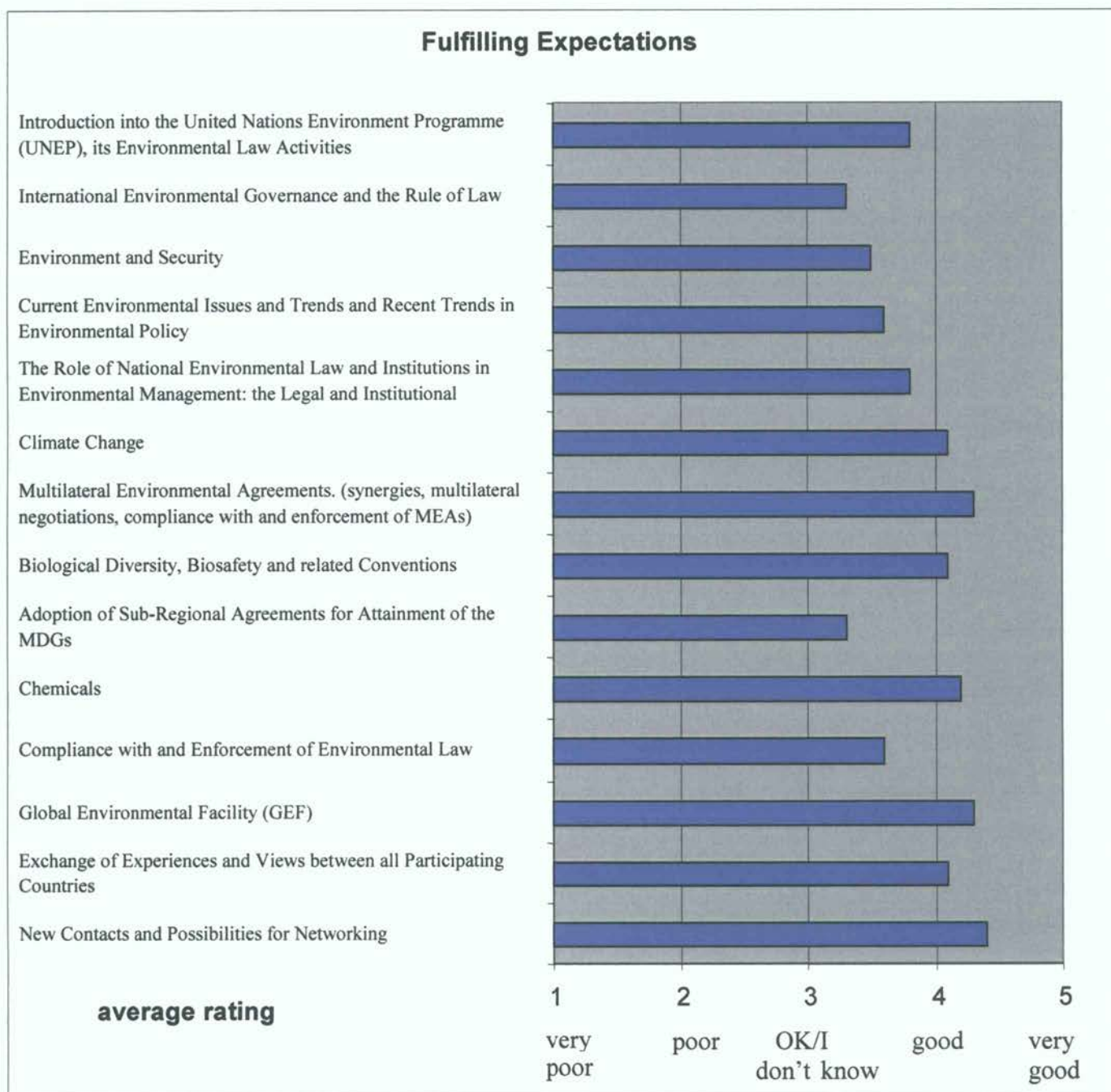


In order to illustrate participants' judgement, a selection of remarks from participants are quoted below:

- "I did enjoy and learn quite a lot from Nairobi on topics which were like foreign languages but now I can identify things which are an issue."
- "The Training was helpful and contributed immensely to capacity building in my country."
- "Programmes such as this one go a long way in assisting developing countries through the challenging process of implementation of various international agreements which sometimes seem to be trying to hinder their developmental processes."
- "Topics of the course have been wide and well selected."
- "All in all, GTP-7 was a great opportunity and I thank UNEP very much for organizing and offering the possibility both to learn and to share experience."
- "...It will have a direct impact in my everyday activities."
- "Thank you very much for this fantastic course and such professional work in organizing."

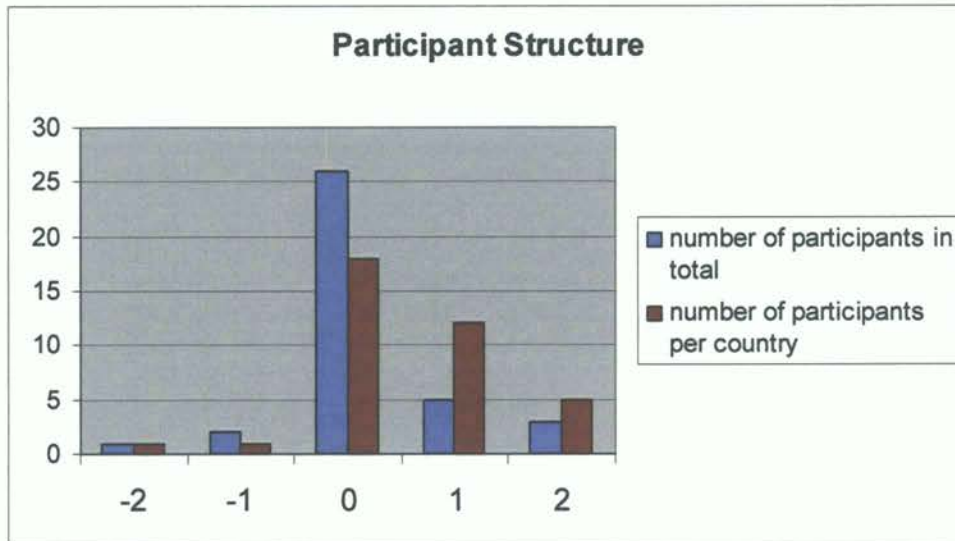
2.2 Fulfilling Expectations

The expectations of the participants were fulfilled, they rated the fulfilling of expectations by the course high. The rating varied from 'good' and in some cases 'very good'. The average rating for fulfilling expectations was 3.9. Figure 1 gives an overview of the ratings per topic.



2.3 Participants Structure

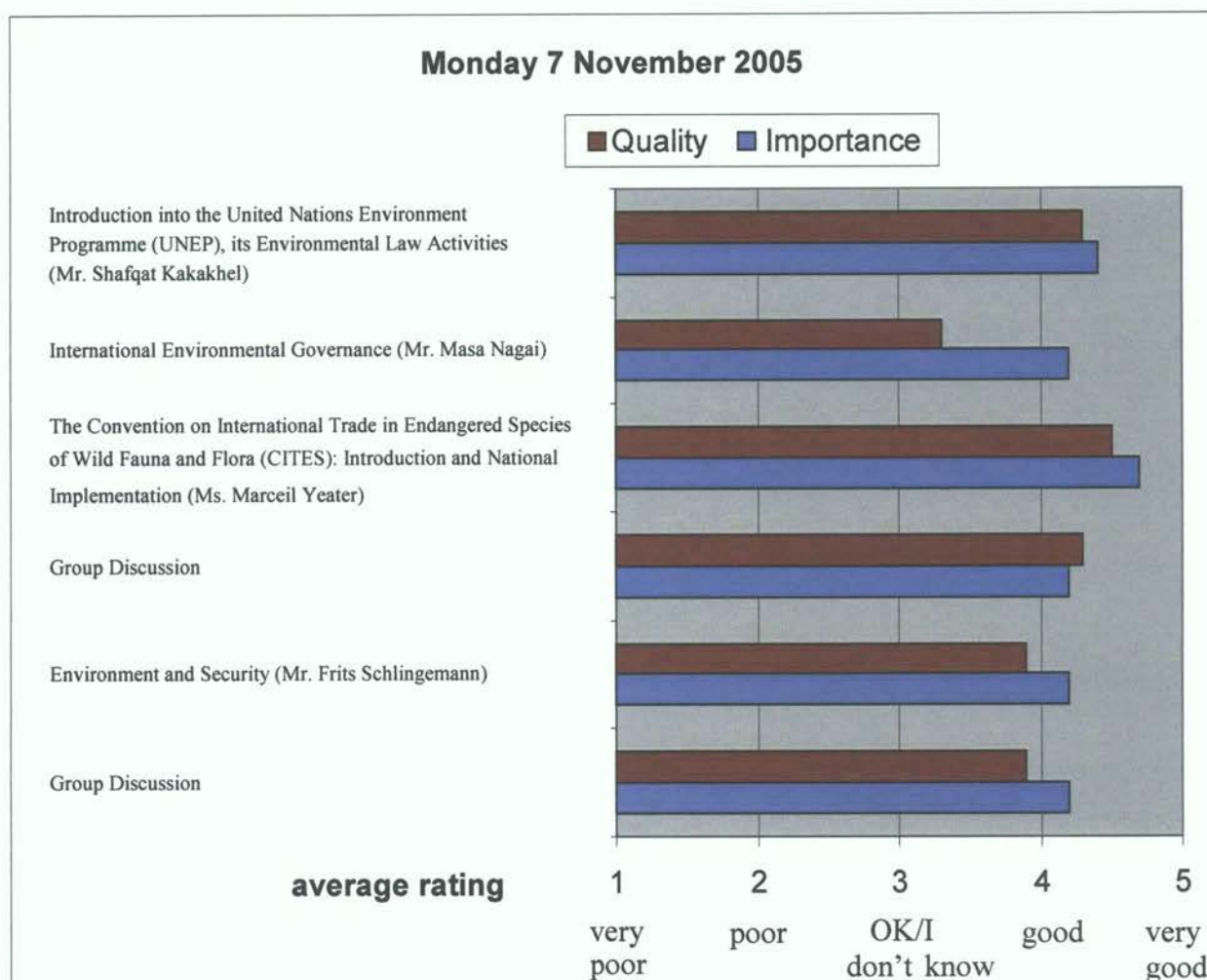
On average, the number of participants was regarded as suitable for such a course, since this element was rated 3.1, which indicates that most participants agreed with the total amount of participants. There was a slight tendency that it was thought that the number of participants per country could be increased. GTP-7 had 47 participants: 21 participants were female, 26 participants were male, and their average age was 36 years.



Participants were content about the structure and mixture of participants. Generally they agreed that the group of participants was balanced and represented a good mixture of cultures, gender, profession and background. The great majority found the total number of participants good (rating "0", or OK). There were a couple of comments. Some participants would prefer two participants from every country instead of one (12 indicated that "the number of participants per country should be slightly increased"). Some participants preferred to have a final list of all the participants in advance for preparation. Some participants missed the presence of a participant from a big consumer state in forest products, e.g. the United States of America, and/or more participants from islands in the Pacific.

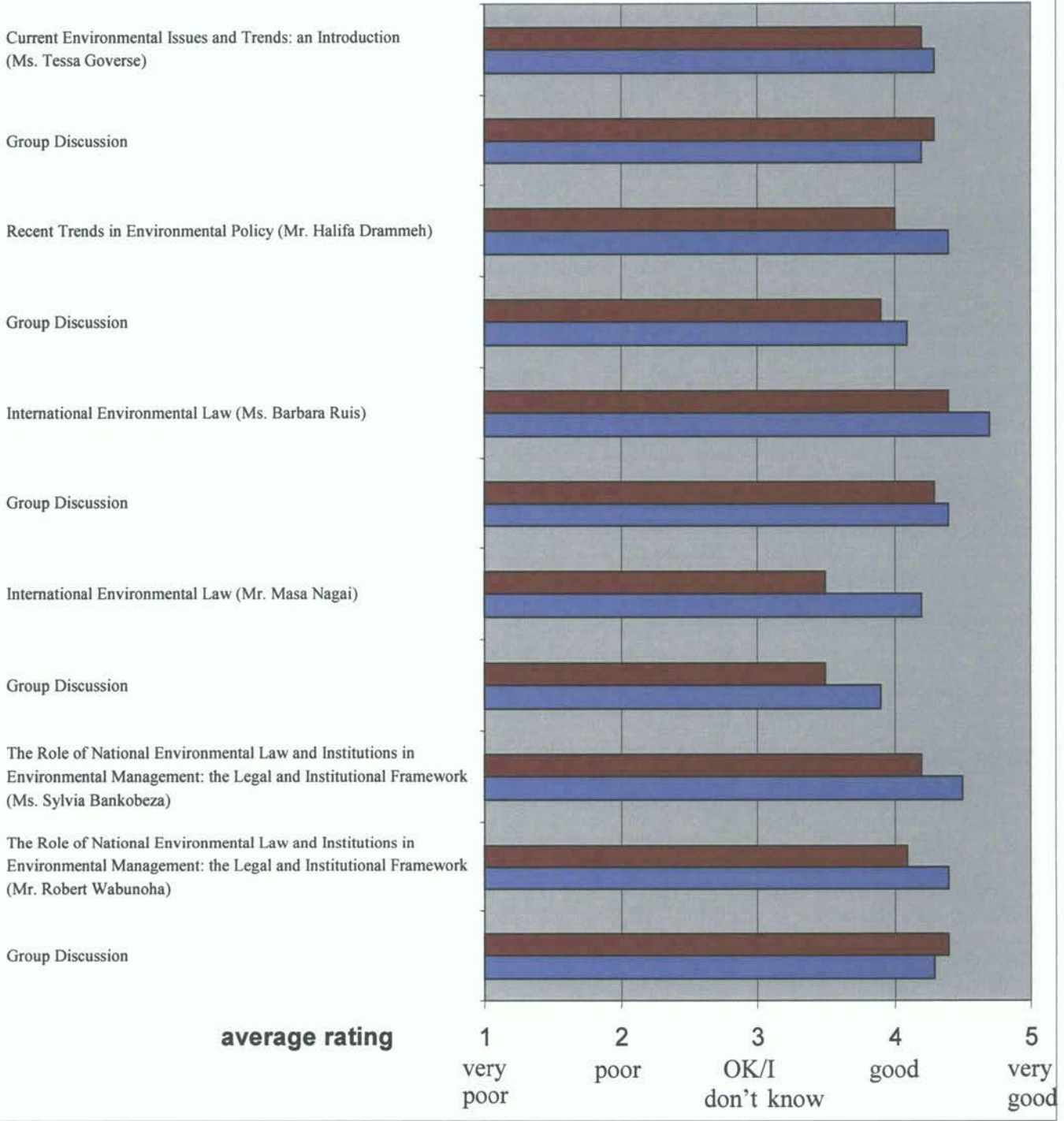
2.4 The Contents of the Course

The evaluation on the contents of the course is built up in different stages. Every lecturer and every discussion are separately evaluated. In the evaluation, there is also a separation between the importance of the session/presentation and the discussion and the quality of the session and the discussion. The evaluation is set per day.



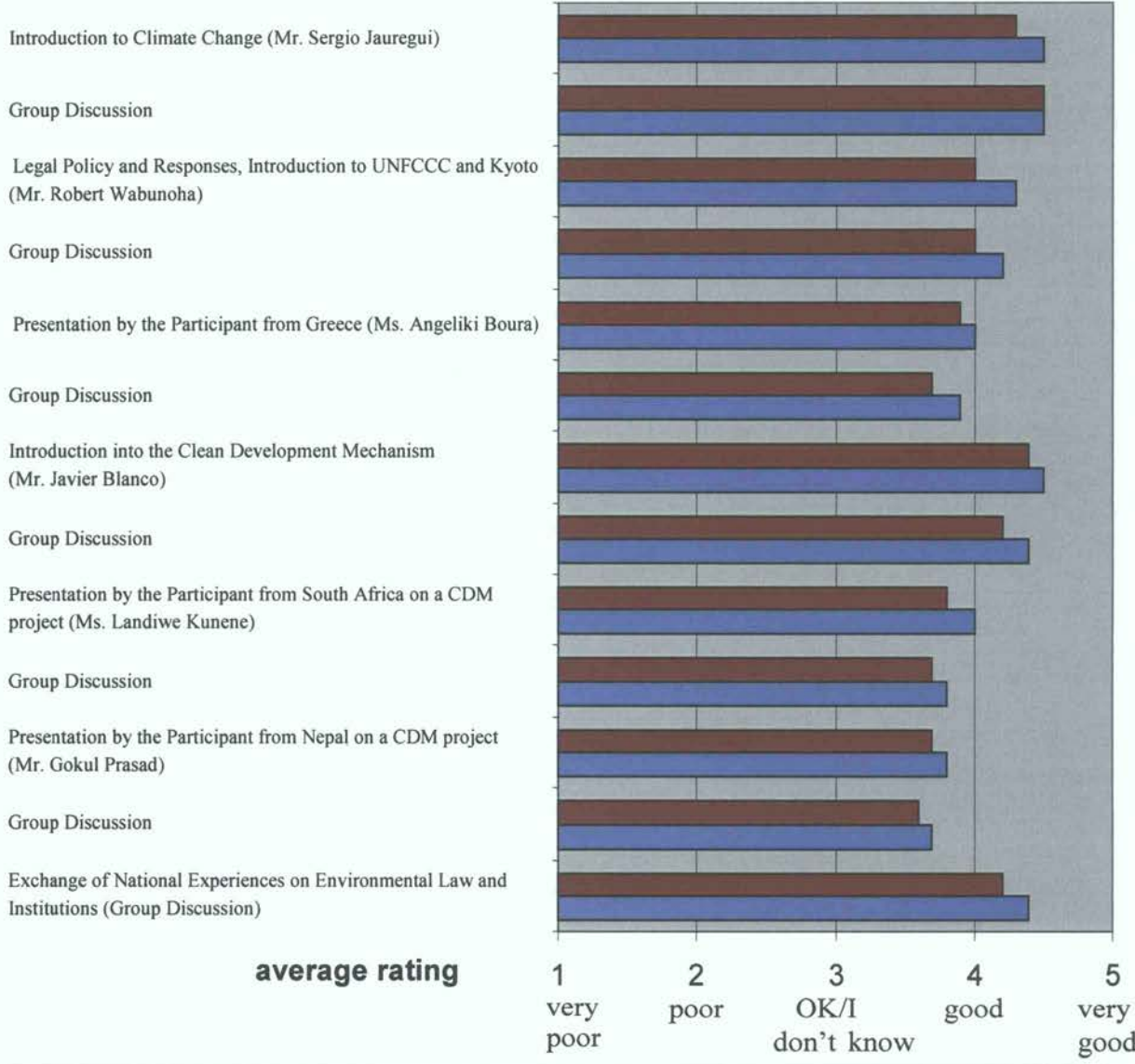
Tuesday 8 November 2005

Quality Importance

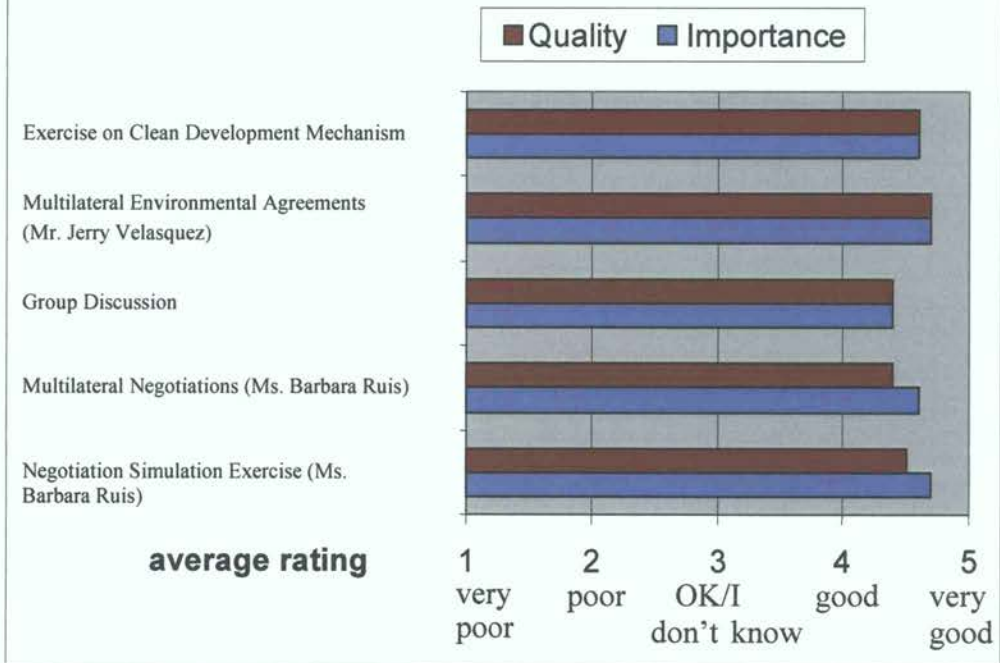


Wednesday 9 November 2005

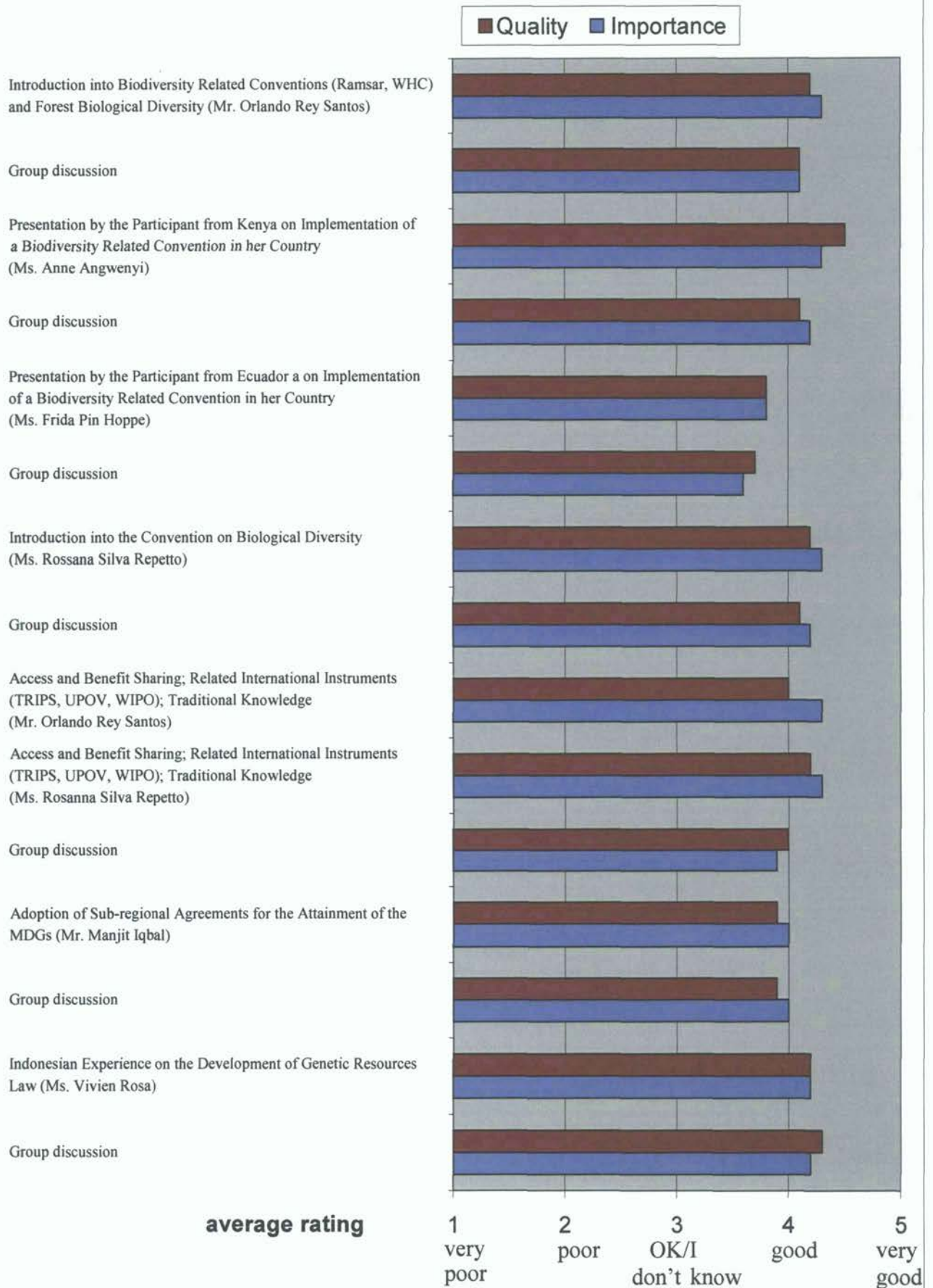
■ Quality ■ Importance



Thursday 10 and Friday 11 November 2005

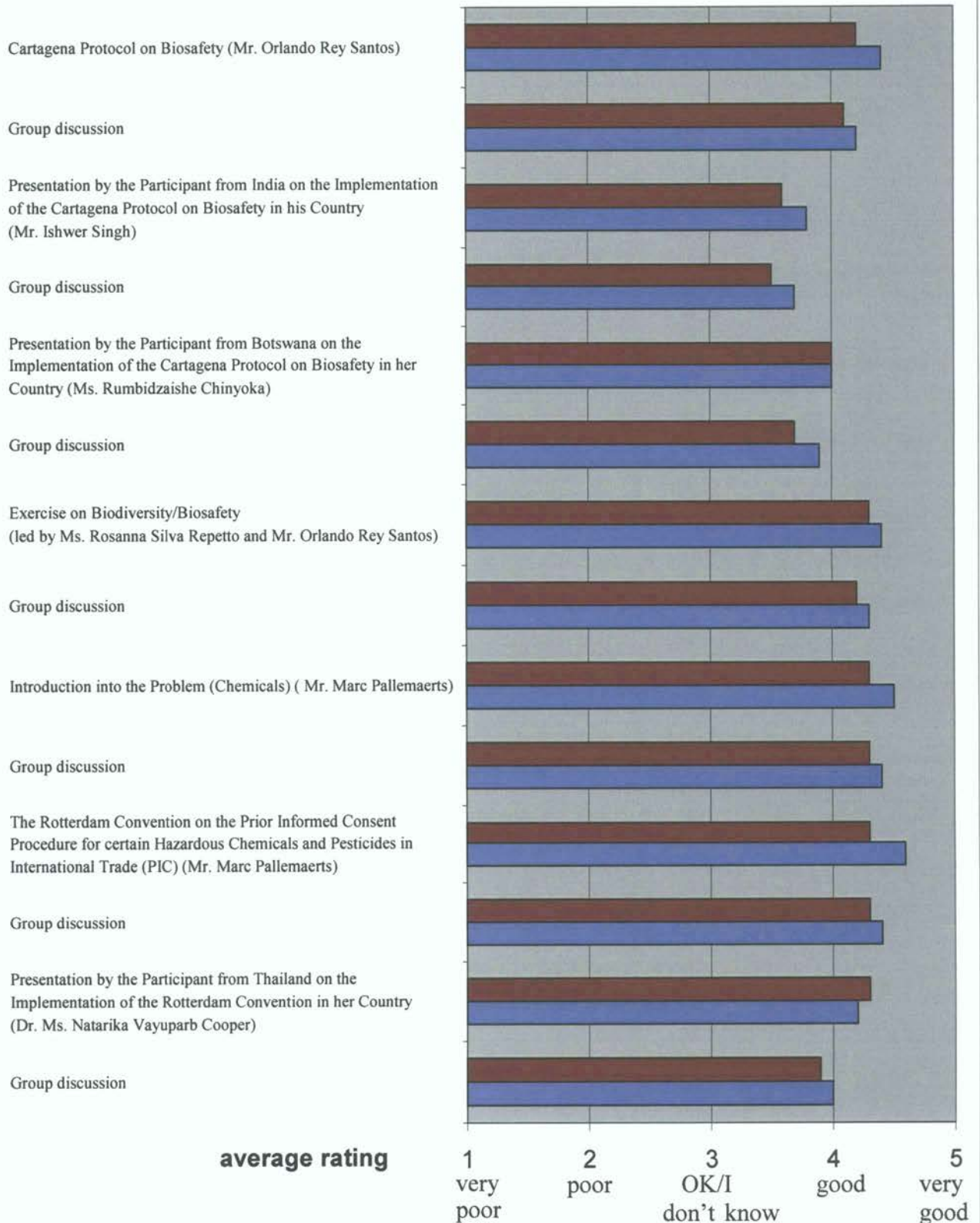


Monday 14 November 2005

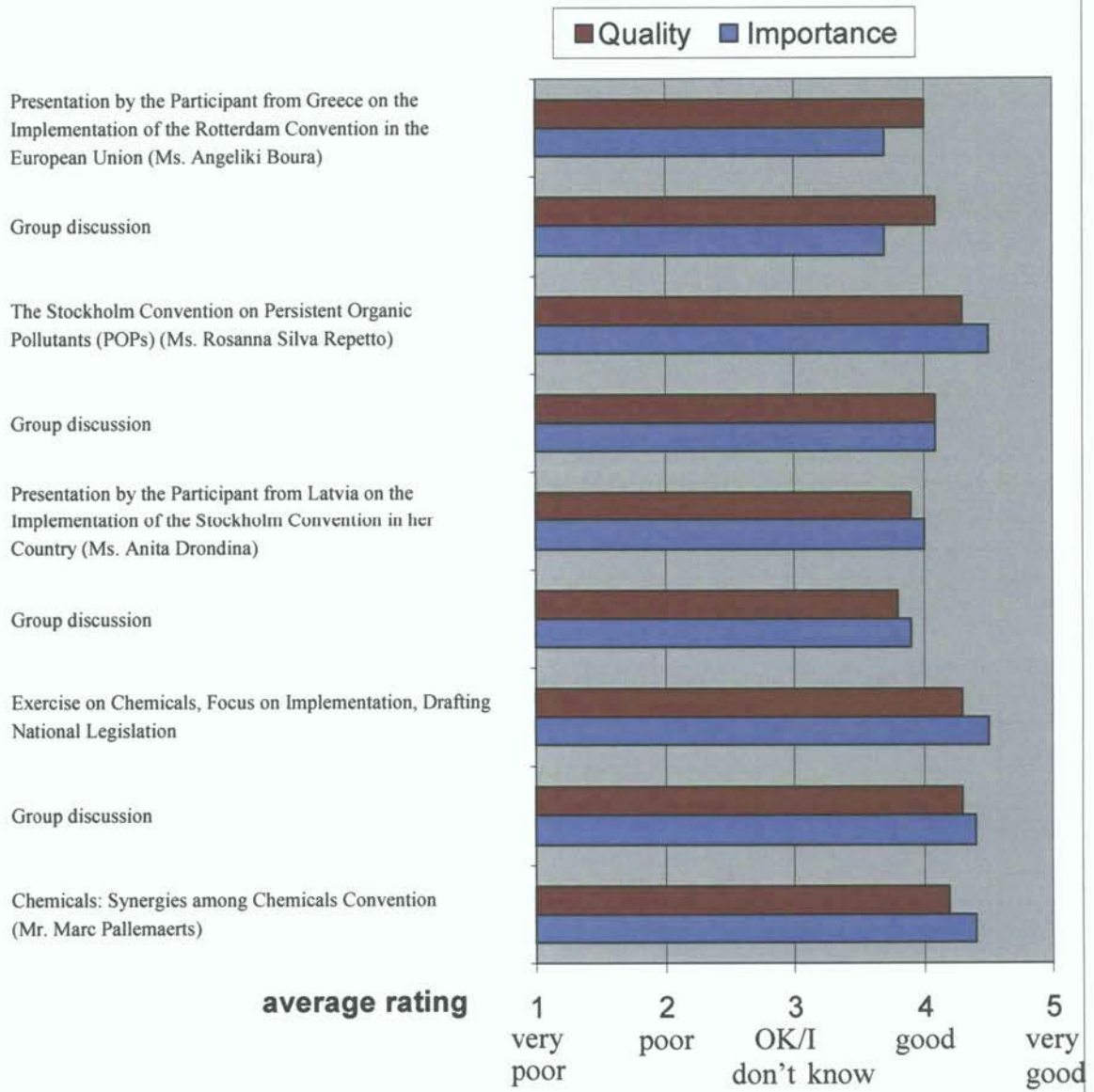


Tuesday 15 November 2005

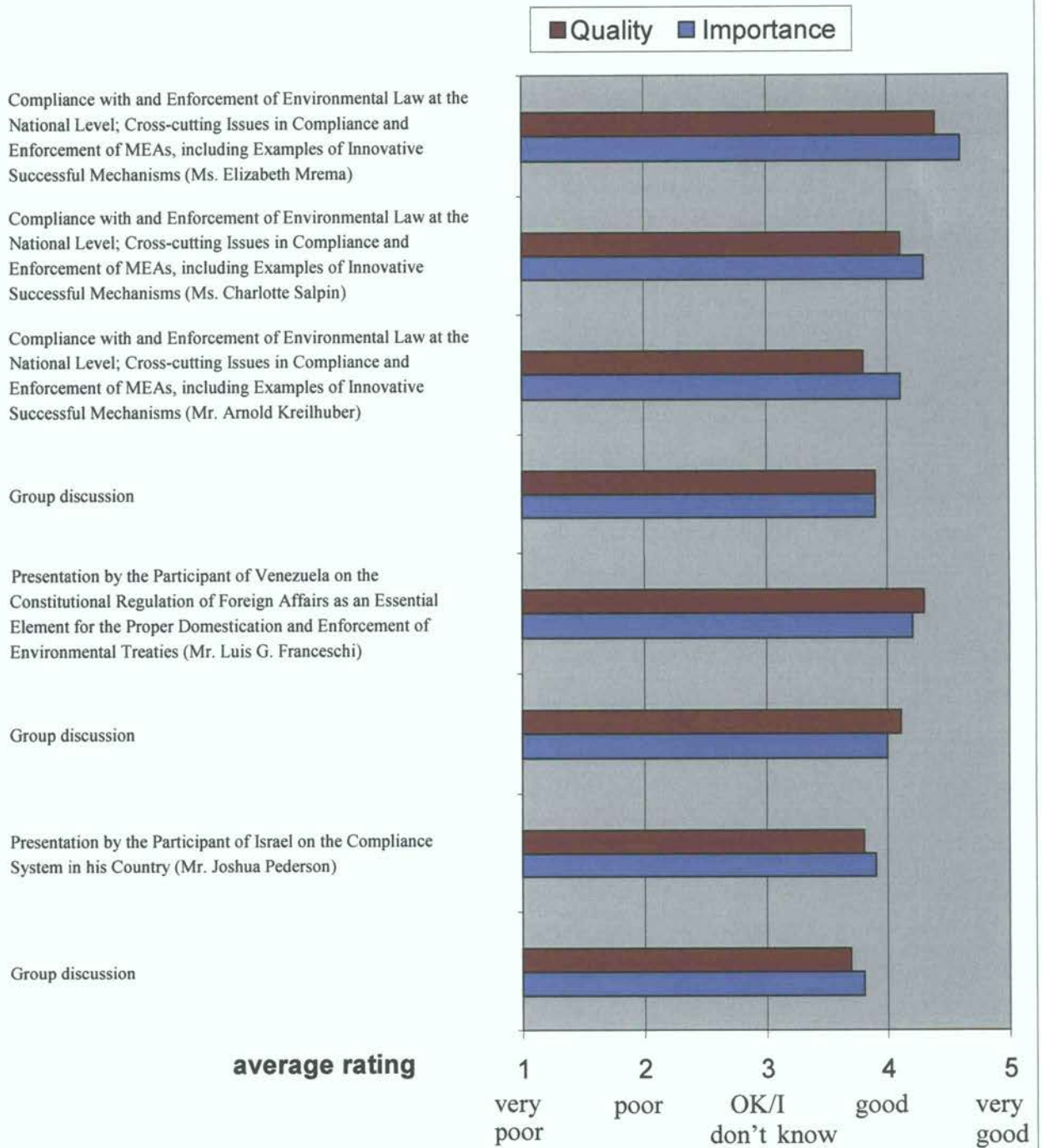
■ Quality ■ Importance



Wednesday 16 November 2005

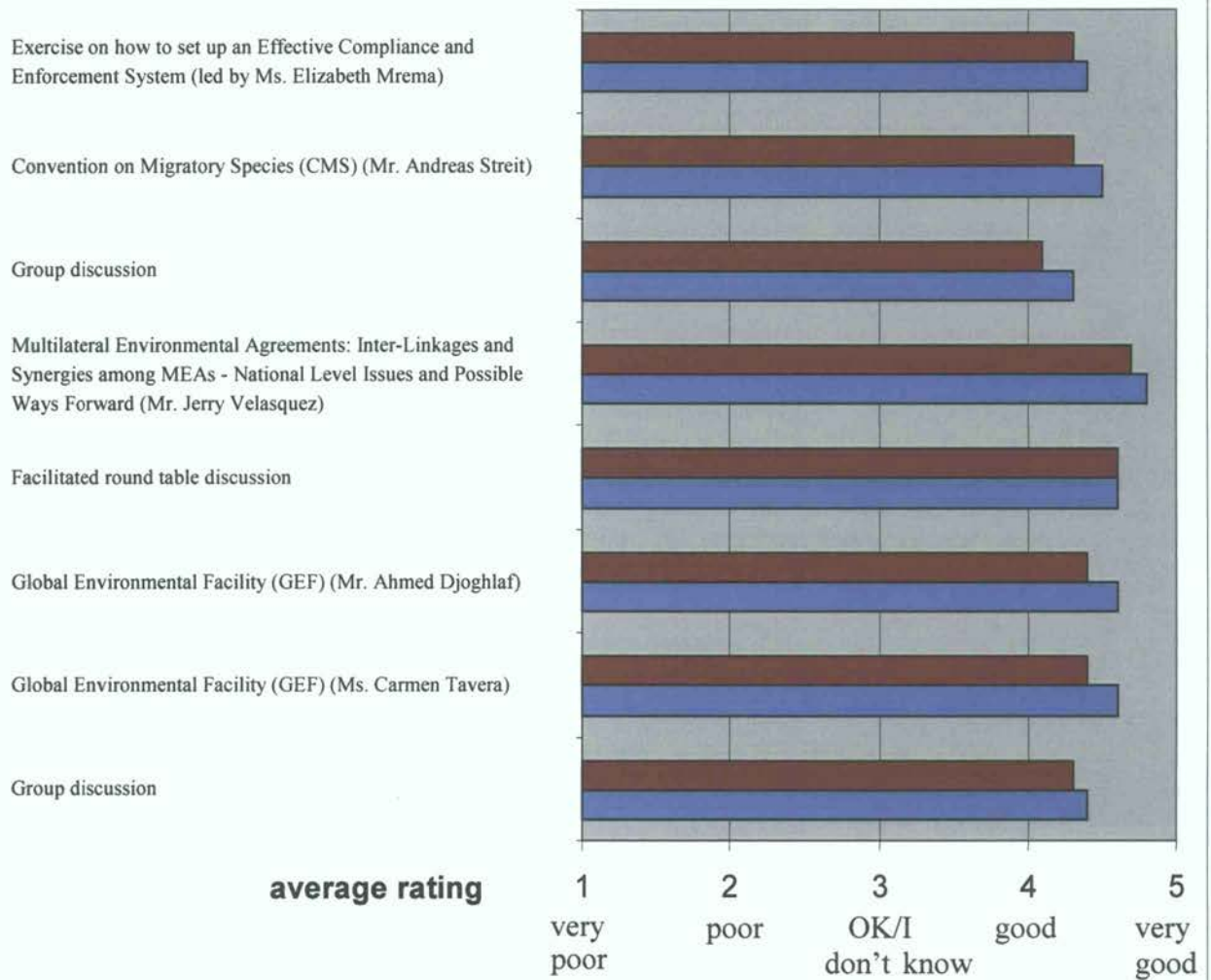


Thursday 17 November 2005, Part I

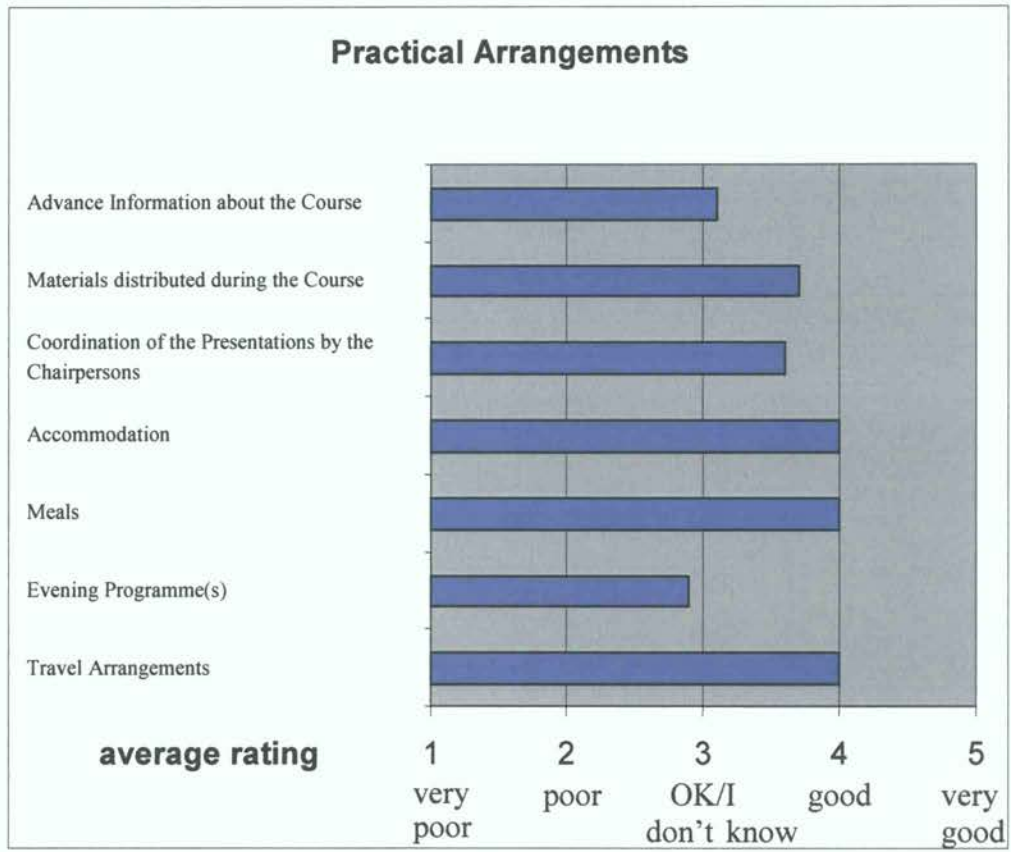


**Thursday 17 November, Part II and
Friday 18 November 2005**

■ Quality ■ Importance



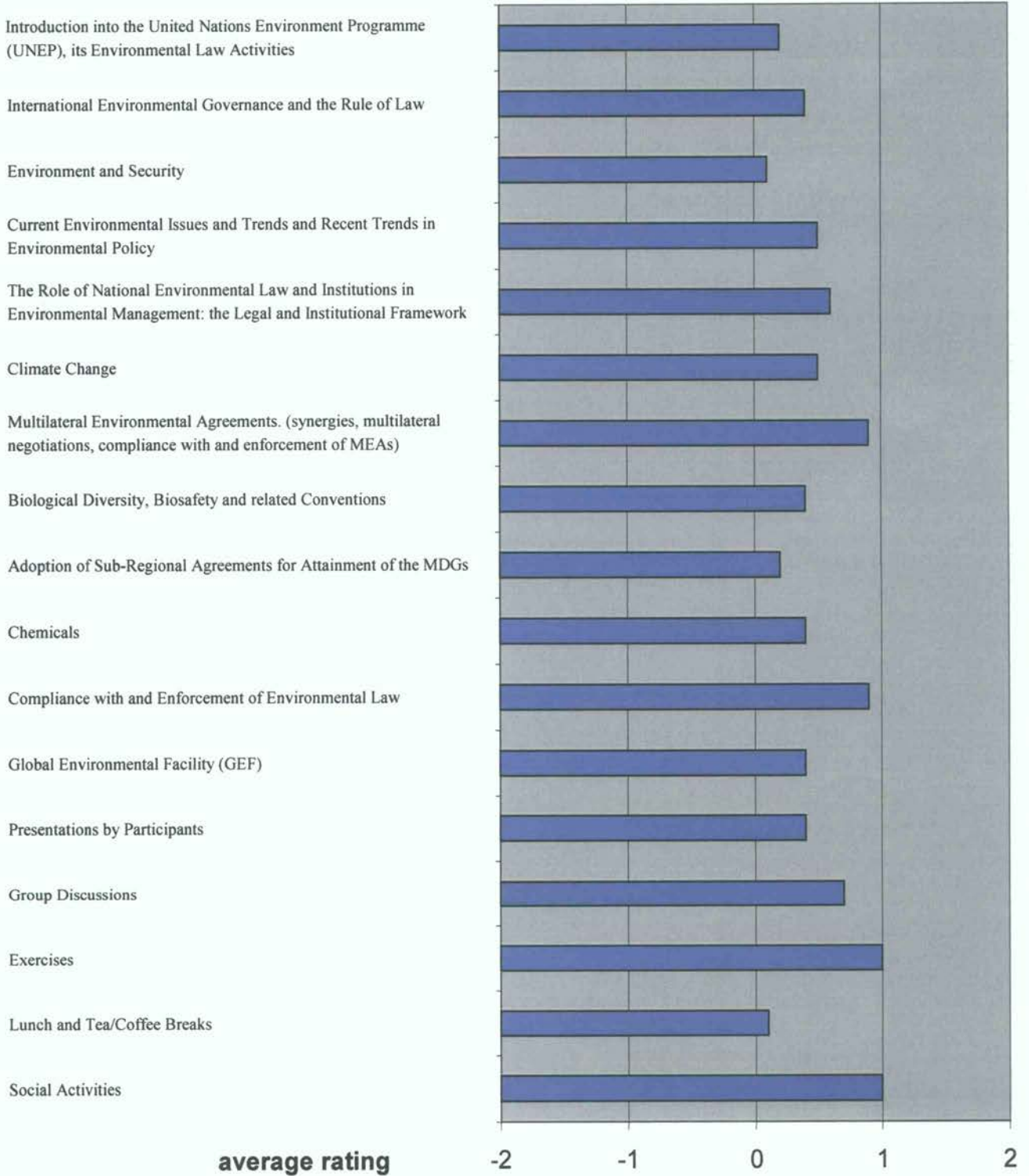
2.5 Practical Arrangements



On the rating and comments concerning practical arrangements, it was in particular remarked that more advance information on the course should have been made available, as well that the inclusion of (social) evening programmes would be appreciated.

2.6 Balance of Themes

Balance of Themes



The grading in the table on the previous page means that the time allotted for these elements:

-2	-1	0	+1	+2
should be significantly reduced	should be slightly reduced	OK / I don't know	should be slightly increased	should be significantly increased

It can be concluded that participants found the course overall well-balanced in the thematic areas it encompassed.

Some participants were of the opinion that more time could be allotted to, in particular, compliance with and synergies among Multilateral Environmental Agreements, group discussions, exercises, and social activities. However, they were also of the opinion that none of the programme elements deserved less time than allotted.

2.7 Excursion

The excursion to Elsamere Conservation Centre, Lake Naivasha and Hell's Gate National Park took place on Saturday 12 November 2005. The field trip was highly appreciated by the participants; the general evaluation was 'excellent'. The participants were glad to learn more about Kenya's biodiversity and the awareness of the government and the local population. They found it not only interesting but also relevant to this year's Global Training Programme. Some participants stated the importance that the trip offered concerning the topic 'waste management'. Most participants stressed that the trip was very well organized and that the trip contributed to social contacts among the group of participants. The day also included a discussion of the negotiations exercise held the previous day with its facilitator (Ms. Barbara Ruis). In conclusion, all of the participants found that the excursion was relaxing, educational and informative.



Water hyacinths clogging up Lake Naivasha

3. Proposed Special Topics for Future Courses

3.1 General comments

The general comments were positive. Most of the participants were more than content about the course in general. The course was considered well organized, the staff was cooperative and well reachable, and the contents of the course was highly appreciated. There were some comments concerning the accommodation, which was considered of high standard and more than comfortable, but also as expensive and a number of participants complained about the distance from the hotel to the city centre. A large number of participants expressed their thanks to two interns working with UNEP/DPDL, Mr. Alexander Koch and Ms. Maria Elena Garcia Mora.

3.2 Contribute to participant's work

The course was viewed as contributing greatly to the working environments of the participants, and to the knowledge and understanding of the information as contained international the course materials. Most of the participants are certain that the gained knowledge will allow them to give more appropriate advice to their respectable fields of work. The participants agreed that the course enhanced their understanding of synergies. The course also contributed to the extending of participants' personal networking.

3.3 Proposals for future GTP

The participants gave a lot of topics which could be implemented in the future GTP's. The following suggestions were made:

- Basel convention	- Waste management
- Aarhus convention	- Economics of environment
- WTO issues	- International water issues
- TRIPS	- Environmental law Enforcement
- Impact assessment	- Trade and environment
- Negotiations	- GEF project proposal
- Environmental services	- Environmental crime

3.4 Course improvement

To improve the course multiple suggestions were made. A suggestion that was made by a great number of people is that since the exercises were appreciated highly during the course, to include more of them, as well as more practical tailored information. Another suggestion was made about the number of people participating in the course. Participants suggested more participants from one country or to invite participants from every region of the world. Participants also suggested providing more information on the course in advance on the Internet. As final suggestion the participants suggested that there should be more fieldtrips, with explanations on the local environment, because the fieldtrip to Naivasha was a success.

4. Conclusions on possible improvements for the Global Training Programme

4.1 General

The following conclusions were drawn by the organizers on the basis of the experience of the GTP-7 and of the participants' feedback, presented above.

4.2 Practical Arrangements

- 1) Lecturers should be asked to provide their outlines or presentations in advance, to enable prior copying and distribution.
- 2) All material should be provided in electronic format and should be distributed in advance to ensure a good preparation by participants.
- 3) Technical equipment support (PCs, projectors, copying facilities) should be improved as for giving more audiovisual presentations.
- 4) It might be considered to arrange for accommodation to be closer to the city centre. In addition, thoughts should be given on further social activities, such as a selected evening programme.

4.3 Balance of the Themes and Balance of the Components of the Course

The general composition of the course should not be changed. However, there could be more time allotted to:

- Multilateral Environmental Agreements (MEAs) and their synergies
- Compliance with and Enforcement of Environmental Law
- Exercises
- Social Activities



THE SEVENTH UNEP GLOBAL TRAINING PROGRAMME ON ENVIRONMENTAL LAW AND POLICY (GTP-7)

Special focus: international legal instruments related to
biological diversity, chemicals, and climate change

Nairobi, Kenya, 7 – 18 November 2005

Agenda *(as of 5 November 2005)*

SATURDAY / SUNDAY	5 and 6 November 2005
	Arrival of participants in Nairobi
SUNDAY	6 November 2005 Venue: Safari Park Hotel
15.00 – 17.00	Registration of participants
17.00 – 19.00	Orientation Programme / Welcome <ul style="list-style-type: none"> • Introduction to the Training Programme • Introduction of the participants • Introduction of organizers and resource persons
WEEK 1	Venue: UNEP – Gigiri
MONDAY Day 1	7 November 2005 – Conference Room 3
9.00 - 9.30	Registration of participants
9.30 - 9.45	Inauguration Welcome address by Ms. Cristina Boelcke, Officer-In-Charge, Division of Policy Development and Law Welcoming remarks by Mr. Shafqat Kakakhel, UN Assistant Secretary-General and Deputy Executive Director of UNEP
9.45 – 10.30	Introduction into the United Nations Environment Programme (UNEP), its Environmental Law Activities, and the Rule of Law Shafqat Kakakhel, UN Assistant Secretary-General and Deputy Executive Director of UNEP
10.30 – 11.00	TEA/COFFEE BREAK

11.00 – 12.00	International Environmental Governance Masa Nagai, Senior Legal Officer, Division of Policy Development and Law, UNEP
12.00 – 13.30	LUNCH BREAK
13.30 – 15.30	The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): Introduction, and national implementation. Marceil Yeater, Chief, Legislation and Compliance Unit, CITES Secretariat
15.30 – 16.00	TEA/COFFEE BREAK
16.00 – 17.15	Environment and Security Frits Schlingemann, Regional Director, UNEP Regional Office for Europe
17.30	Buses leave for hotel
TUESDAY Day 2	8 November 2005 – Conference Room 3
9.00 - 10.00	Current environmental issues and trends: an introduction Tessa Goverse, Division of Early Warning and Assessment, UNEP
10.00 - 11.00	Recent trends in environmental policy (incl. sustainable development issues, integration, current CSD issues, poverty and environment, MDGs) Halifa Drammeh, Director, Environmental Management Group, UNEP
11.00 - 11.30	TEA/COFFEE BREAK
11.30 - 12.30	International environmental law <ul style="list-style-type: none"> • Introduction into international law and treaty law • International environmental instruments, in particular Multilateral Environmental Agreements Barbara Ruis, Legal Officer, Division of Environmental Policy Development and Law, UNEP
12.30 - 14.00	LUNCH BREAK
14.00 - 15.30	International environmental law (continued) <ul style="list-style-type: none"> • Relationship international / national law, ways to implement a MEA • UNEP's contribution to the progressive development and implementation of environmental law Masa Nagai, Senior Legal Officer, Division of Environmental Policy Development and Law, UNEP
15.30 - 16.00	TEA/COFFEE BREAK
16.00 - 17.30	The role of national environmental law and institutions in environmental management: the legal and institutional framework (incl. PADELIA) Sylvia Bankobeza and Robert Wabunoha, Legal Officers, Division of Environmental Policy Development and Law, UNEP
17.45	Buses leave for hotel

WEDNESDAY Day 3	9 November 2005 – Conference Room 3
9.00 – 9.40	Multilateral Environmental Agreements: Inter-linkages and Synergies among MEAs - Global trends, challenges and opportunities Jerry Velasquez, Division of Environmental Conventions, UNEP
9.40 – 10.30	Facilitated Roundtable Discussions – All participants Jerry Velasquez
10.30 - 11.00	TEA/COFFEE BREAK
11.00 – 11.40	Multilateral Environmental Agreements: Inter-linkages and Synergies among MEAs - National level issues and possible ways forward Jerry Velasquez
11.40 – 12.30	Facilitated Roundtable Discussions – All participants Jerry Velasquez
12.30- 14.00	LUNCH BREAK
	Theme 1: Climate Change
14.00 –14.45	Introduction into climate change Sergio Jauregui, Programme Officer, Division of Environmental Policy Implementation, UNEP
14.45 – 15.30	Legal and policy responses, introduction to UNFCCC and Kyoto Robert Wabunoha, Legal Officer, Division of Environmental Policy Development and Law, UNEP
15.30 – 16.00	TEA/COFFEE BREAK
16.00 –16.20	Presentation by the participant from China on a climate change issue in his country
16.20 – 17.15	Introduction into the Clean Development Mechanism Javier Blanco, Environmental Economic Consultant / former Director Economic Analysis Office, Ministry of the Environment, Colombia
17.30	Buses leave for hotel
THURSDAY Day 4	10 November 2005 – Conference Room 1
	Climate change continued
9.00 – 10.30	Further elaboration on the Clean Development Mechanism Javier Blanco
10.30 -10.45	TEA/COFFEE BREAK
10.45 – 11.30	Presentations by the participants from South Africa and Honduras on participants on a CDM project in his/her country
11.30-12.00	Discussion on the three country presentations

12.00 – 13.30	LUNCH BREAK
13.30 – 15.30	Exercise on Clean Development Mechanism
15.30 – 16.00	TEA/COFFEE BREAK
16.00 – 16.30	Exercise on Clean Development Mechanism (continued)
	Multilateral negotiations
16.30 - 17.30	Introduction into the negotiations exercise on forests of the following day. Introduction into the intergovernmental forest process Barbara Ruis, Legal Officer, Division of Environmental Policy Development and Law, UNEP
17.45	Buses leave for hotel
19.30	Nyama choma & acrobats – venue: Safari Park Hotel
FRIDAY Day 5	11 November 2005 – Conference Room 4
	Multilateral negotiations continued
8.45 - 9.45	Negotiation simulation exercise Barbara Ruis
9.45 - 10.30	Negotiation simulation exercise (cont.)
10.30 – 11.00	TEA / COFFEE BREAK
11.00 -12.30	Negotiation simulation exercise (cont.)
12.30 -13.30	LUNCH BREAK
13.30 – 15.45	Negotiation simulation exercise (cont.)
16.00	Social event: Buses leave for Masaai market at the Village Market
17.45	Buses leave for hotel
SATURDAY Day 6	12 November 2005
6.30 – 18.30	Field trip Departure from Hotel for a full day excursion to Naivasha by bus. During this day, the outcome of the negotiations exercise will be discussed.
SUNDAY Day 7	13 November 2005
	Day off

WEEK 2	Venue: Safari Park Hotel / Mount Elgon Room
MONDAY Day 8	14 November 2005
	Theme 2: Biological diversity
8.45 - 10.15	Introduction into biodiversity related conventions (CMS, Ramsar, WHC) and forest biological diversity Orlando Rey Santos, Director, Directorate of Environment, Ministry of Science, Technology and Environment, Cuba
10.15 - 10.45	Presentations by the participants from Kenya and Ecuador on implementation of a biodiversity related convention in their country
10.45 – 11.15	TEA/COFFEE BREAK
11.15 - 12.30	Introduction into the Convention on Biological Diversity, traditional knowledge - Orlando Rey Santos - Rossana Silva Repetto, Legal Officer, Regional Office for Latin America and the Caribbean
12.30 – 14.00	LUNCH BREAK
14.00 – 15.30	The Convention on Biological Diversity: <ul style="list-style-type: none"> • Access and benefit sharing • Related international instruments (TRIPS, UPOV, WIPO) Orlando Rey Santos & Rossana Silva Repetto
15.30 - 16.00	TEA/COFFEE BREAK
16.00 - 16.45	Adoption of sub-regional agreements for the attainment of the MDGs Manjit Iqbal, Legal Officer, UNEP, Regional Office for Asia and the Pacific
16.45 – 17.30	Indonesian experience on the development of genetic resources law Vivien Rosa, Indonesia
TUESDAY Day 9	15 November 2005
	Theme 2: Biological diversity (continued)
8.45 – 10.00	Cartagena Protocol on Biosafety Orlando Rey Santos & Rossana Silva Repetto
10.00 – 10.15	TEA/COFFEE BREAK
10.15 – 10.45	Presentation by the participants from India and Botswana on implementation of the Cartagena Protocol on Biosafety
10.45 – 12.45	Exercise on Biodiversity / Biosafety Orlando Rey Santos & Rossana Silva Repetto
12.45 - 14.00	LUNCH BREAK

	Theme 3: Chemicals
14.00 – 14.30	Introduction into the problem Marc Pallemmaerts, Senior Research Fellow, Institute for European Studies and Lecturer in International Environmental Policy and Law, Vrije Universiteit Brussel, Belgium
14.30 – 15.30	The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC) Marc Pallemmaerts
15.30 – 16.00	TEA/COFFEE BREAK
16.00 - 17.00	The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (continued)
17.00 - 17.30	Presentations of two participants on national issues related to chemicals: Latvia on its Stockholm Convention National Implementation Plan and Thailand on its implementation of the Rotterdam Convention
WEDNESDAY Day 10	16 November 2005
	Theme 3: Chemicals (continued)
8.45 - 10.30	The Stockholm Convention on Persistent Organic Pollutants (POPs) Masa Nagai, Senior Legal Officer, Division of Environmental Policy Development and Law, UNEP
10.30 - 11.00	TEA/COFFEE BREAK
11.00 – 12.30	Exercise on chemicals – focus on implementation, drafting national legislation Marc Pallemmaerts & Masa Nagai
12.30 - 14.00	LUNCH BREAK
14.00 - 15.30	Exercise on chemicals – focus on implementation, drafting national legislation (continued)
15.30 - 16.00	TEA/COFFEE BREAK
16.00 – 17.30	Chemicals: synergies among chemicals conventions
THURSDAY Day 11	17 November 2005
8.45 - 9.30	Compliance with and enforcement of environmental law at the national level; Cross-cutting issues in compliance and enforcement of MEAs, including examples of innovative successful mechanisms Elizabeth Mrema, Senior Legal Officer, and Charlotte Salpin & Arnold Kreilhuber, Division of Environmental Conventions
9.30 - 10.30	Exercise on how to set up an effective compliance and enforcement system Elizabeth Mrema
10.30 - 11.00	TEA/COFFEE BREAK

11.00 – 12.30	Exercise on how to set up an effective compliance and enforcement system (continued)
12.30 - 14.00	LUNCH BREAK
14.00 - 15.30	The Convention on Migratory Species Robert Hepworth, Executive Secretary, Secretariat for the Convention on Migratory Species (to be confirmed with Jacob)
15.30- 16.00	TEA/COFFEE BREAK
16.00 - 17.30	Multilateral Environmental Agreements: Inter-linkages and Synergies among MEAs - National level issues and possible ways forward / Facilitated Round-Table discussion Jerry Velasquez, Division of Environmental Conventions, UNEP
FRIDAY Day 12	18 November 2005
8.45 – 12.30	Global Environmental Facility <ul style="list-style-type: none"> • Introduction to the GEF Ahmed Djoghlaif, Assistant Executive Director UNEP and Director, UNEP Division of GEF Co-ordination <ul style="list-style-type: none"> • Working with the GEF - overview of procedures, criteria and eligibility for funding projects; • GEF support and priorities in the Biodiversity, POPs and Climate Change Focal Areas; • UNEP's role in the GEF and UNEP/GEF projects. Neil Pratt, Division of Global Environmental Facility Coordination
12.30 – 14.00	LUNCH BREAK/ FAREWELL LUNCH
14.00 – 15.00	Evaluation session of the GTP- 7 Evaluation of the course Collection of evaluation forms Discussion of the strengths and weaknesses of the Training Programme - ways to improve the next course and training needs not addressed during the course
15.00 – 16.00	Awarding of certificates
16.00 – 16.30	Closing session Closing remarks by: <ul style="list-style-type: none"> • Representative of UNEP • Representative of participants

UNEP SEVENTH GLOBAL TRAINING PROGRAMME IN ENVIRONMENTAL LAW AND POLICY
NAIROBI, KENYA, 7 – 18 NOVEMBER, 2005
 Final List of Participants
 (24/11/2005)

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**Report of UNEP's Seventh Global Training Programme on
Environmental Law and Policy (GTP-7)
7- 18 November 2005, Nairobi, Kenya**

INTRODUCTION

1. Background

The Division of Policy Development and Law of the United Nations Environment Programme held its Seventh Global Training Programme on Environmental Law and Policy (GTP-7) from 7 to 18 November 2005 in Nairobi, Kenya.

The Training Programme focused this year in particular on law and policy aspects of :

- 1) Biological diversity, in particular Biosafety;
- 2) Chemicals, in particular the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants ; and
- 3) Climate change, especially the Clean Development Mechanism.

These topics were offered because of the recent developments that have taken place in these areas.

2. The purpose of the course

The purpose of the Training Programme was to build broad knowledge in the respective focus areas as well as in other related areas of environmental law and policy in order to strengthen the individual capacity of the participants to assist in the development of a sound environmental policy and an efficient environmental legal framework in their countries. In addition, the Training Programme aimed to provide a forum for the exchange of national experiences between the representatives of the participating countries with regard to environmental law and policy. The Training Programme was held based on UNEP's mandate to provide for environmental law training to a broad range of national stakeholders engaged in the development, implementation and enforcement of environmental law, and pursuant to the Bali Strategic Plan for Technology Support and Capacity-building.

3. Participant structure

The participants of GTP-7 were mainly government officials at the mid-career level, with most of them attached to their country's Ministry of Environment. The majority of the participants are working as legal officers or legal advisors, involved in the drafting of national environmental legislation in general or of legislation with regard to biodiversity, chemicals or climate change. Many of them are responsible for implementation of and compliance with Multilateral Environmental Agreements (MEAs), including developing national action plans concerning MEA's, or assisting in creating national policy in connection with the three focus areas of the GTP-7.

46 participants from 44 countries from all regions of the world attended GTP-7. The large majority of representatives (43 of 46) came from developing countries and countries with economy in transition. There were last-minute cancellations of five developing countries to which tickets had been already dispatched.

4. Participant recruitment and selection criteria

UNEP invited all member states of the United Nations to nominate two candidates for the GTP-7, while indicating selection criteria. The selection process was designed to ensure equitable geographical distribution and gender balance, and took into account personal, professional and academic qualifications, as well as the potential impact that participants could achieve upon their return. Participation of professionals who were, or would be, working in one of the specific focus areas of the GTP-7 was encouraged. In the selection process, priority was given those countries that had not yet participated in previous editions of UNEP's Global Training Programme, or had participated only once or twice. Finally, adequate knowledge of English was required, since the working language of GTP-7 was English only. After receiving 187 applications from 94 countries UNEP selected 50 participants from around the world for GTP-7.

5. General structure of the course

The duration of the training programme was two weeks. The sessions during the first week took place at UNEP Headquarters, while the second week was organized in the hotel where participants were accommodated (Safari Park Hotel, Nairobi). At completion of the training, participants were awarded a certificate.

The Global Training Programme covered three main topics (see above under 1). Further, a range of closely related subjects was discussed, including international environmental law in general, treaty law, interlinkages between MEAs, multilateral negotiations, specific MEAs such as CITES and CMS, and the operation Global Environmental Facility. The Training Programme consisted of a combination of lectures and active participation in the form of group discussions and exercises. See for the detailed programme the attached agenda as well as the elaboration of the agenda items below.

6. Resource persons

UNEP staff members, including attached to from CITES, CMS and DGEF contributed to the realization of the Training Programme. There were three external resource persons made available, one for each of the special focus areas of the GTP-7, who were renowned experts in their respective professional areas. The full list of participants is available for further details.

7. Evaluation

A detailed evaluation of GTP-7 took place by the participants and its results will be made available in a separate report.

REPORT OF THE GTP-7

Monday 07/11/2005, 10:00- 11:00

Introduction into the United Nations Environment Programme (UNEP), its Environmental Law Activities and the Rule of Law (Mr. Shafqat Kakakhel)

Mr. Kakakhel made reference to the overall environment situation and the challenges that UNEP and the countries are facing. He stressed that there are many countries that there are problems that cannot be solved just nationally. He explained that the developing countries are the worst affected by the environmental problems, while at the same time they are the ones that contribute the least to the problems. Mr. Kakakhel explained that at the time of the adoption of the United Nations Charter, protection of the environment was not contemplated. However, nowadays there is a proliferation of environment issues. He talked about the evaluation of environmental awareness in the international agenda. Finally, he made reference to the three pillars of sustainable development: economic, social and environmental aspects. After an overall evaluation of environment issues in the current international agenda, he stressed the need of coherence and harmony, of capacity building, but especially of effective implementation.

07/11/2005, 11:00- 12:00

International Environmental Governance (Mr. Masa Nagai)

Mr. Nagai introduced International Environmental Governance and UNEP's Law Programme by outlining the development of the legal framework as well as the institutional arrangements in the field of the environmental protection. He emphasized the importance to transform the fragmental patterns of decision making into a strongly coordinated plan of action. Furthermore, Mr. Nagai explained the main elements of the "Cartagena Decision". Finally he outlined the content of the Montevideo Programme, which gives UNEP's mandate in the field of environmental law.

07/11/2005, 13:30- 15:30

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): Introduction and National Implementation (Ms. Marceil Yeater)

Ms. Yeater held an introduction to the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES). The introduction included the legislative incorporation of CITES into national regimes, the work of the different bodies of the Convention, and the aims and scope of the Convention. Ms. Yeater also made a general explanation of the three Appendices covered by the Convention and the different regulations of each Appendix. Finally, she made a national legislation project analysis of the different participating countries and evaluated the stage in which they were standing. During the ensuing group discussion participants referred to this evaluation with specific comments on the implementation of CITES in their country.

07/11/2005, 16:00- 17:15

Environment and Security (Mr. Frits Schlingemann)

Mr. Schlingemann explained the linkage between environment and security, outlining the political issues related to environmental matters. Mr. Schlingemann made reference to the post conflict environmental problems, and to the lack of boundaries in ecological issues. He stressed the relation between environmental changes and social and economic development.

Tuesday 08/11/2005, 9.00- 10.00

Current Environmental Issues and Trends: an Introduction (Ms. Tessa Goverse)

Ms. Goverse gave an explanation of the current status of environmental problems and the new challenges that we are facing. She made reference to the increase of population in one hand, and to the scarcity of natural resources on the other hand. Ms. Goverse talked about the major causes of land damage, deforestation, agriculture activities, climate change, land use change, the importance of the involvement of indigenous and local communities on biodiversity policy making. Ms. Goverse also made reference to water issues, stressing that it is a major source of conflict, which will increase in the future. Finally, she explained the Global Environment Outlook, and distributed copies to the participants.

08/11/2005, 10.00- 11.00

Recent Trends in Environmental Policy (Mr. Halifa Drammeh)

Mr. Drammeh started his presentation with the recognition of the inter-linkages between social, economic and environmental aspects. He explained that in 1997 the governments recognized the necessity of distribution of responsibility with the Nairobi Declaration, admitting that UNEP was the international agency in charge of the environment. He made reference to the Global Ministerial Environmental Forum, and to UNEP's regional economic commissions. Mr. Drammeh emphasized the importance of coherence between the agencies dealing with environment issues, in order to attain the three pillars of sustainable development. Finally, the possibility of transforming UNEP into a specialized agency was discussed.

08/11/2005, 11.30- 12.30

International Environmental Law (Ms. Barbara Ruis)

Ms. Ruis gave an introductory presentation on international environmental law and treaty law. She outlined the sources of international environmental law: international conventions, customary Law, general principles of law, and judicial decisions and the teachings as subsidiary means for the determination of rules of law. Ms. Ruis put special emphasize on the description of principles and concepts of international environmental law, such as the Principles of Sustainable Development, Integration and Interdependence, Inter-Generational and Intra-Generational Equity, the Precautionary Approach, as well as Cooperation and Responsibility for Transboundary Harm. Finally Ms. Ruis described the details of the

Principle of Common but Differentiated Responsibilities and its application in connection with the Principle 7 of the Rio Declaration, the Climate Change Convention, the 2001 Stockholm Convention and the Convention on Biological Diversity.

08/11/2005, 14:00- 15:30

International Environmental Law (Mr. Masa Nagai)

Mr. Nagai referred to the relationship between international and national law, especially the ways to implement Multilateral Environmental Agreements, making reference to the participatory process, awareness raising, the necessity of information for decision-making, and he emphasized the importance to strengthen national institutions, laws and regulations. Mr. Nagai also described common problems that occur concerning the implementation of Multilateral Environmental Agreements, such as conflicting priorities, inadequate laws and regulations, inadequate institutional arrangements, lack of means of enforcement and lack of financial means. Finally he described general requirements needed to enhance the effectiveness of environmental law and UNEP's role as well as UNEP's role in this process.

08/11/2005, 16:00- 17:30

The Role of National Environmental Law and Institutions in Environmental Management: The Legal and Institutional Framework (Ms. Sylvia Bankobeza and Mr. Robert Wabunoha)

Ms. Sylvia Bankobeza explained the role of national environmental law and institutions in environmental management. She outlined the prerequisites for effective national environmental law and she presented a template for elements of national sector legal regimes. Ms. Bankobeza described the monist and the dualist way to implement international environmental instruments. Furthermore she emphasized the role of UNEP as an important capacity building institution in environmental law.

After that, Mr. Wabunoha described the "PADELIA"- project, the Partnership for Development of Environmental Law and Institutions in Africa. He introduced the countries participating in the PADELIA project and outlined the tasks of UNEP relating to the project. This was followed by a short presentation of countries participating in the GTP-7 introducing the specific problems occurring

Wednesday 09/11/2005, 9:09 – 10:00

Introduction into Climate Change (Mr. Sergio Jauregui)

Mr. Jauregui gave an introduction into the problems of climate change. He explained the "greenhouse effect" and the increase of greenhouse gases over the last centuries. He presented statistics showing the amount of emissions caused by each region worldwide. Mr. Jauregui outlined the adverse impacts of climate change, such as on the ecosystems and food production and health. The ensuing group discussion focused on two main issues the linkages between UNFCCC, the Kyoto Protocol and the CBD; and to the non-ratification of the United States in the Kyoto Protocol.

09/11/2005, 10:00- 11:00

Legal and Policy Responses, Introduction to UNFCCC and Kyoto Protocol (Mr. Robert Wabunoha)

Mr. Wabunoha outlined the history of the international negotiations on climate change. He made a description of the development of the UNFCCC and introduced its institutions, main provisions and the general commitments of the parties to the convention. He explained the division of all countries into Annex I, II and Non-Annex I countries. He outlined the provisions of climate change adaptation measures, technology transfer and funding. After that, Mr. Wabunoha introduced the Kyoto Protocol, outlining its main provisions, such as the legally binding emission targets. He also explained the next steps to be taken in the near future regarding the implementation and further elaboration of the Kyoto Protocol.

09/11/2005, 11:30- 11:50

Presentation by the Participant from Greece on a Climate Change Issue in her Country (Ms. Angeliki Boura)

Ms. Boura explained the institutional arrangements regarding climate change in her country and the provisions and targets the Kyoto-Protocol establishes for her country. She introduced the 2nd Greek National Programme to reduce green house gas (GHG) emissions including the measures Greece takes to reduce emissions and comply with the Kyoto-Protocol. Ms. Boura ended her presentation by describing national success stories in the field of climate change, especially regarding the promotion of renewable energy sources and the increase in the share of natural gas.

09/11/2005, 11:50- 12:30

Introduction into the Clean Development Mechanism (Mr. Javier Blanco)

Mr. Javier Blanco presented the Clean Development Mechanism to the Kyoto Protocol. He started by outlining the Emission Reduction Commitments for the Annex I Parties to the Kyoto-Protocol including the provision of the "Assigned Amount Units" and the compliance provisions establishing the Compliance Committee. He explained the respond to non-compliance through the Facilitative Branch and the Enforcement Branch. After that, he introduced the "Flexibility Mechanisms" of the Kyoto Protocol. He emphasized that these mechanisms exist to reduce the costs of compliance for the developed countries. The flexibility mechanisms he introduced were "Emissions Trading", "Joint Implementation" and the "Clean Development Mechanism". He made a comparison between the mechanisms, outlining the advantages and disadvantages of each mechanism.

09/11/2005, 14:30- 15:40

Introduction into the Clean Development Mechanism (cont.) (Mr. Javier Blanco)

Mr. Blanco explained the requirements of the CDM projects. He made reference to the necessity of an independent certification from the operational entities, based on three topics: (i) should be formally approved and contribute to sustainable development; (ii) real measurable long-term benefits and (iii) additional to the situation without the project (baseline scenario). Mr. Blanco explained the different baseline approaches, such as, (a) existing actual or historical emissions; (b) emissions from a technology that represents an economically attractive course of action taking into account barriers to investment and (c) the average emissions of similar project activities undertaken in the previous five years. He explained the two tests of additionality; first, the economic test, according to which it has to be proved that financially there is another more attractive alternative and the other tests consists in proving the existence of barriers to develop the project (technological, investment, cultural). Finally, he made reference to the importance of leakage. He stated that the two requirements for participating in the CDM are essentially the ratification of the Kyoto Protocol and the designation of a National Authority for approval of the projects. Mr. Blanco further referred to the CDM institutions, and explained the requirements countries should fulfill in order to present a Project Design Document (PDD), to be validated by the Designated Operational Entity. Mr. Blanco stated the importance of the contribution of the CDM Project to the national objectives. Projects should have an environmental impact analysis according to the host party's requirements, and it must contain the comments of the involved stakeholders.

09/11/2005, 16:20- 16:30

Presentation by the participant from South Africa (Ms. Landiwe Kunene)

South Africa has a Designated National Authority that assesses the drafting of PDD, as well as approves them. Ms. Kunene referred to a project done in ten low cost Reconstruction and Development Programme houses. The rating criterion of this Kuyasa project is air quality; the replacement of coal burning for electricity generation, which permits significant reduction of carbon oxide; and contributes to sustainable development as well. She explained that the project is now in the planning stage. Being the first registered project in Africa reflects the importance of this project.

09/11/2005, 16:30- 16:45

Presentation by the participant from Nepal (Mr. Gokul Prasad Burlakoti)

Mr. Prasad lectured on the national implementation of the UNFCCC and the Kyoto Protocol, as well as the CDM in Nepal. Nepal ratified the UNCCC in 1994, the Kyoto Protocol in 2005. Mr. Prasad gave a general explanation of the general environment initiatives in Nepal, legislative, as well as institutional. He explained the problems that Nepal is facing. He also made reference to the actual initiatives on climate change and the area of future cooperation related to CDM projects.

09/11/2005, 16:45- 17:45

**Exchange of National Experiences on Environmental Law and Institutions
(continuation from Tuesday afternoon)**

Participants shared their experiences on environmental law and institutions, comparing and sharing the different systems, such as framework laws, sectoral laws, and regulations. They talked about the responsibilities between the ministries, departments and agencies, and in general the institutional environmental arrangement in their countries. Participants also made reference to the national implementation of MEAs in their countries.

Thursday 10/11/2005, 09:00- 12:45

Exercise on Clean Development Mechanism (Mr. Javier Blanco and Mr. Sergio Jauregui)

During this exercise the participants received Project Design Documents (PDDs) from different countries that had been submitted to the Executive Board, and they were asked to analyze those PDDs and identify if the project was fulfilling or not all the requirements. At the end of the analysis, one participant of each group made a small summary of the project, explaining each requirement and relating it to the explanation they have received from the prior conferences.

10/11/2005, 13:45- 16:45

Inter Linkages and Synergies among MEAs (Mr. Jerry Velasquez)

Mr. Velasquez explained that there are seven important trends that make inter linkages necessary such as (i) the difficult political climate; (ii) explosion of new and challenging issues; (iii) global and local segregation, and the difficulty of identifying if one problem is local or global; (iv) the complexity of issues and entangled responses, that include the discussion between domestic versus global priorities, as well as the fragmented responses; (v) lack of resources; (vi) diversification of aid modalities and (vii) pressure to mainstream. Mr. Velasquez emphasized that all these trends mean that we do not have choice but synergize. The condition to synergize is that the result of summing certain matters is major than the result of treating those matters separately. He explained that synergy exists in three degrees: 1) cross-cutting among MEAs; 2) across scales within and among levels; and 3) cross-sectoral across regimes. Mr. Velasquez proposed three different kinds of response models to this issue: cooperation, centralized and enforcement models. Finally, Mr. Velasquez exemplified the inter-linkages between the Vienna Convention on Substances that deplete the Ozone Layer and the UNFCCC, as well as their protocols, Montreal and Kyoto, respectively.

10/11/2005, 17:00- 17:45

Multilateral Negotiations: Introduction into the Negotiations Exercise on Forests of the following day/ Introduction into the Intergovernmental Forest Process (Ms. Barbara Ruis)

Ms. Ruis outlined the development of international forest negotiations, beginning with the Earth Summit in Rio de Janeiro 1992. She described the establishment of the IPF, the IFF and the United Nations Forum on Forests (UNFF). Ms. Ruis referred to the mandate of the UNFF and the different options that were taken into account in UNFF 1- 5 in connection with a legal regime on forests. She explained the current situation within UNFF that makes it very hard to find an international agreement on forests. After that Ms. Ruis outlined the complexity of Multilateral Environmental Negotiations. She described the formal structures of Conferences of the Parties (COPs) to MEA's and other negotiation meetings and emphasized the difficulties of communication taking into account the extreme number of participants in many COPs. In this connection Ms. Ruis emphasized the advantages of informal working groups, also as a forum for decision-making, and stressed the importance of consultations. Finally, she presented the negotiation-exercise that was going to be held on the following day.

Friday 11/11/2005, 09:00- 14:00

Multilateral Negotiations Simulation Exercise (Barbara Ruis)

The exercise consisted in simulating a negotiating process in order to obtain a legally binding document on forests. Each participant played a role of a different country and had to defend its position and act in accordance to the instructions received in a letter from its Government of the referred country. There were two parallel negotiating groups

The multilateral negotiations simulation exercise started with a welcoming address and introduction by the two co-chairs, followed by a short presentation by each participating country outlining its position in the negotiations. After that the two groups acted completely different, while in the first group almost all the exercise was developed through informal consultations, the second group received a draft project by the Canadian delegation and discussed it in plenary session. In the last part of the negotiation exercise countries developed a final outcome document containing the consensus agreed upon by the countries, which were discussed during the day trip the next day in the Elsamere Centre, Naivasha.

Monday 14/11/2005, 9:00- 10:15

Introduction into Biodiversity Related Conventions (Ramsar, WHC) and Forest Biological Diversity (Mr. Orlando Rey Santos)

Mr. Rey Santos gave an introduction into Biodiversity related Conventions (Ramsar, WHC) and Forest Biological Diversity. He started his presentation by outlining the development and the main provisions of the Ramsar Convention on Wetlands. Then Mr. Rey Santos introduced the World Heritage Convention. He explained the meaning of Cultural and Natural Heritage and described the international process that led to the creation of the

Convention. Mr. Rey Santos gave details of the main obligations under the Convention, the WHC bodies and the periodic reporting process that State Parties are obliged to undergo. Finally, Mr. Rey Santos summarized the international process on forests.

14/11/2005, 10:15- 10:30

Presentation by the participant from Kenya on implementation of a biodiversity related convention in her country (Ms. Anne Angwenyi)

Ms. Angwenyi described the environmental management in Kenya in connection with the Convention on Biological Diversity. She explained the legal and regulatory regime for access and benefit sharing in Kenya. Ms. Angwenyi outlined the draft regulation concerning the CBD and resources and access to genetic resources. She illustrated the scope of the draft, relevant definitions, gaps and strengths of the regulation.

14/11/2005, 10:30- 10:55

Presentation by the participant from Ecuador on implementation of a biodiversity related convention in her country (Ms. Frida Pin Hoppe)

Ms. Pin Hoppe outlined the implementation of the CBD in Ecuador by describing the Clearing House Mechanism, the national strategy on biodiversity, the national action plan and the national report to the CBD. She described the strategy of sustainable financing for the system of national protected areas. Ms. Pin Hoppe concluded her presentation by outlining the national indicators for biodiversity.

14/11/2005, 11:30- 12:50

Introduction into the Convention on Biological Diversity, and traditional knowledge (Ms. Rossana Silva Repetto, Mr. Orlando Rey Santos)

Ms. Repetto started her presentation with an introduction into the CBD and its main objectives. She outlined the provisions related to sovereignty, access to genetic resources and transfer of technology from developed countries to developing countries. Ms. Repetto explained the importance to strengthen intellectual property rights on the national level. After that, Mr. Rey Santos continued with a presentation on access and benefit sharing within the CBD. He explained the "Bonn Guidelines" as a first but insufficient step to regulate the issue of access and benefit sharing. Mr. Rey Santos emphasized the political difficulties in finding a consensus in the international community regarding a legally binding international regime on access and benefit sharing due to strong divergent positions of developing countries and developed countries. It was emphasized by one participant that the issues of access and benefit sharing and traditional knowledge are closely linked. Regarding procedures to effectively implement the access and benefit sharing, Mr. Rey Santos explained that there were some positive examples on the national and sub-regional level about legal implementation from the Caribbean countries including ideas on certification schemes. Ms. Repetto added that the example of sub-regional regulation in the Caribbean is especially interesting due to the fact that these regulations were directly legally binding in the member countries.

14/11/2005, 14:10- 15:45

The Convention on Biological Diversity: Traditional Knowledge, Related international Conventions (Mr. Orlando Rey Santos, Ms. Rossana Silva Repetto)

Mr. Rey Santos introduced issues related to traditional knowledge by outlining the provisions of Art. 8(j) of the CBD. He summarized the tasks of the indigenous knowledge committee under the CBD and the provisions of the "Akwe: Kon Guidelines". Furthermore, Mr. Rey Santos explained the sui generis system of the CBD to protect traditional knowledge. After that, Ms. Repetto continued the presentation by describing the relation between the CBD and the Agreements on Trade-related Aspects of Property Rights (TRIPS). She illustrated the two categories of intellectual properties, copyright and industrial property. Ms. Repetto explained the relation between IPR and trade, such as the facilitation of technology transfer through IPR, and emphasized that ideas without property rights lack economic value, but warned that IPR should not create barriers to legitimate trade. Then she presented the TRIPS and the objectives of each part of the convention. Mr. Repetto explained the protection of patents within the TRIPS, the patentability requirements and the exceptions to protection of patents. Finally, Ms. Repetto introduced the International Convention for the Protection of new Varieties of Plants (UPOV). She outlined the breeders' rights to own the new plants variety, and other rights such as the exclusive right of exploitation and the "Farmers' privilege". In response to a question on economic value of traditional knowledge she stated that the economic value is not yet considered as a real market value, an issue that needs to be addressed.

14/11/2005, 16:15- 17:00

Adoption of sub-regional agreements for the attainment of the Millennium Development Goals (Mr. Manjit Iqbal)

Mr. Iqbal started his presentation by outlining the existing environmental agreements in the Asian region, such as ASEAN agreement of Transboundary Haze Pollution. Then he described future agreements and the advantages of sub- regional agreements as an efficient way of implementation compared to national efforts alone or global agreements, because of similar geographical conditions and other problems in the same sub- region. Mr. Iqbal linked these issues with the MDGs, especially MDG 7, and presented ways of reaching the specific provisions of MDG 7, such as timetables and targets for the reduction of the loss of forest cover in order to ensure biological diversity. Mr. Iqbal explained that even though a small number of member states to a convention sometimes led to more specific commitments, the advantage of a sub-regional agreement compared to a bilateral agreement was that in the case of a sub- regional agreement there was a whole sub-region sharing the advantages of the contract instead of only two countries. In response to a question of differences between Agenda 21 and the MDGs, Mr. Iqbal explained that Agenda 21 was not fully implemented because of lack of financial resources and financial transfer from the developed countries. It was added by one of the participants that the implementation of the MDG's is more in the hands of the countries on a national level.

14/11/2005, 17:00- 17:45

Indonesian experience on the development of genetic resources law (Ms. Vivian Rosa)

Ms. Rosa gave a presentation on the Indonesian experience on the development of the genetic resources law. She outlined the MEAs that Indonesia has ratified with regard to genetic resources, such as the CBD and the Cartagena Protocol and the diverse national regulations with respect to this issue, such as the draft of the Genetic Resources Management Act, which has the purpose to ensure sustainable use and equitable benefit sharing, public participation, and to enhance research and development. She explained the main provisions of the act as well as national institutional arrangements related to genetic resources and biosafety.

Tuesday 15/11/2005, 8:45- 10:30

The Cartagena Protocol on Biosafety (Mr. Orlando Rey Santos, Ms. Rossana Silva Repetto)

Mr. Rey Santos started his presentation by summarizing the development, potential and main concerns related to Genetically Modified Organisms and Biotechnology. He explained that out of the general consensus, that modern biotechnology has great potential, but must be developed with certain security standards, the Cartagena Protocol was created. Mr. Rey Santos described the diverse international negotiations that led to the Protocol. He explained the "Advance Informed Agreement Procedure" as a system, whereby one party cannot import certain organisms without the approval of the importing party. Mr. Rey Santos illustrated the simplified system for agricultural commodities, risk assessment, and the provisions regarding Handling, Transport, Packaging and Identification. Finally he illustrated the regulations in connection with the Clearing House Mechanism and with public awareness. There was a discussion on the implications that some countries are not a party to the Protocol.

15/11/2005, 11:00- 11:20

Presentation by the participants from India and Botswana on implementation of the Cartagena Protocol on Biosafety (Mr. Ishwer Singh, Ms. Rumbidzaishe Chinyoka)

Mr. Singh started his presentation by summarizing the issues of cotton production and health with regard to biotechnology and then described the legal framework in India. Furthermore, Mr. Singh introduced the competent authorities to address Genetically Modified Organisms, especially diverse committees in charge of recommending policy and regulations as well as conducting research in this regard. He outlined the national penalty provisions and finally emphasized the need of capacity building in India in the area of biotechnology and biosafety to ensure the efficient implementation of the Cartagena Protocol in India.

Subsequently, Ms. Chinyoka continued with a presentation on the implementation in Botswana. She explained the goal of the national policy on biosafety and biotechnology and the legal framework that regulates this area in Botswana. She emphasized that at this stage it

was too early for an Act on Biosafety, but Botswana was in the process of drafting a model Law on Biosafety, and she outlined the content of this draft.

15/11/2005, 11:20- 13:00

Exercise on Biosafety (Mr. Orlando Rey Santos, Ms. Rossana Silva Repetto)

Ms. Repetto explained the exercise on Biosafety: The Ministry of a hypothetical country has been asked to develop drafting instructions for the adoption of national legislation for the implementation of the Cartagena Protocol on Biosafety. The participants were distributed into three stakeholder groups: Ministry officials, environmental and conservation organizations and members of the biotechnology industry (pharmaceuticals, agriculture, cosmetics). The group met separately to identify its objectives and concerns regarding possible domestic legislation for implementation purposes.

15/11/2005, 14:10- 14:30

Exercise on Biosafety (continued)

In the second part of the exercise the three stakeholder groups presented their proposals about the adoption of the national legislation. First, the Ministry officials presented their draft, then the environmental and conservation organizations and finally the Members of the biotechnology industry. After that the three groups discussed specific issues such as if it should be the responsibility of the Government itself to issue the necessary permits for biosafety. The Ministry was in favour of a regulation that would allow the Ministry to issue the final permits, and that would only allow the environmental groups to advise in this process, whereas the environmental groups were in favour of a regulation that would allow the Ministry to issue the permits, but the environmental groups would be allowed to participate in a voting which would finally be decisive with respect to the permit.

15/11/2005, 14:30- 15:45

Chemicals: introduction into the problem. (Mr. Marc Pallemmaerts)

Mr. Pallemmaerts started his presentation by giving a general introduction to chemicals, specifically the life cycle stages (development and testing; import; production; storage; process emissions to air, to water and to soil; use in processes, products and preparations; labeling; packaging; marketing; export as/in products; diffuse use emissions; disposal as/in waste; emissions from waste disposal; export as/in waste) of chemicals and the activities involving chemicals subject to regulation. He explained that the first chemicals regulated in their production stage were the substances that deplete the ozone layer.

15/11/2005, 16:00- 17:50

Chemicals: the Rotterdam Convention (Prof. Marc Pallemmaerts)

Mr. Pallemmaerts explained that the Convention was developed because of the international concern of the trade and export of banned chemicals. This arose because of the different

systems of the national legislations, some of which did not regulate these matters. He emphasized that one of the first activities of UNEP with regard to chemicals was to spread information regarding hazardous chemicals. The importance of a general sharing of information is envisaged in this Convention, through the prior informed consent procedure. The Prior Informed Consent Procedure was approved as a combination of a general notification of control actions with the opportunity of importing parties to object to the imports. He explained that the UNEP Governing Council recognized the principle of prior informed consent procedure in 1977, but it took almost 25 years to transform this principle in an effective international agreement. He explained the stages of the negotiating process on chemicals. Mr. Pallemmaerts made reference to the different categories of substances that the convention refers to, and the different treatment each category receives. He also explained the decision – making procedure and the procedures for the hazardous wastes. He addressed the consequences of the inclusion of a chemical in the referred annexes, and the procedure of inclusion of a chemical. Mr. Pallemmaerts outlined the obligations in relation to the imports. He stated that there was also reference to the exports, although there was not consensus on whether the exportation is part of the PIC procedure. Finally, Mr. Pallemmaerts gave an overview of national implementation measures required.

15/11/2005, 17:50- 18:10

Implementation of the Rotterdam Convention in Thailand (Ms. Natarika Cooper)

Ms. Cooper first gave a general introduction into the legal system in Thailand, where she made reference to the framework law on environment and the relevant laws on hazardous substances in Thailand. She outlined the institutional framework in Thailand. Ms. Cooper explained that the National Environment Board decided in 2005 to establish the Sub – Committee on the Rotterdam Convention. Finally Ms. Copper illustrated the national DNAs in Thailand.

Wednesday 16/11/2005, 9:00- 09:45

Presentation by the participant from Greece on the implementation of the Rotterdam Convention in the European Union (Ms. Angeliki Boura)

Ms. Boura presented the national decision making process with regard to the implementation of the Rotterdam Convention in Greece. She explained the new EU-regulation 304/2003/EC for the import and export of dangerous chemicals. Ms. Boura outlined the specific tasks of exporting parties and importing parties according to the EU-regulation. Then she explicated the enforcement of the EU-regulation in Greece. She finished with a practical example of the necessary steps in order to export a dangerous chemical from a Rotterdam member country. Regarding the question if the institutions in charge of the implementation of Rotterdam in EU were different from the institutions provided by the convention Ms. Boura explained the structure within the EU, whereby besides the national DNA there existed the EU-body that functioned like a “EU-DNA”. After that the participant from Romania explained the challenges in her country while implementing the Rotterdam Convention, especially lack of knowledge of the customs officers in connection with unknown chemicals and lack of funding.

16/11/2005, 09:45- 10:45

The Stockholm Convention on Persistent Organic Pollutants (Ms. Rossana Silva Repetto)

Ms. Repetto started by explaining the nature of POPs as toxic chemicals. She outlined the background and adoption process of the Stockholm Convention. Ms. Repetto explained that the scope of the convention focused on 12 chemical products and it intended to eliminate the production and use of the intentionally produced POPs. After that she illustrated the objective of the convention with regard to the unintentionally produced POPs to continue to reduce the release of these chemicals from anthropogenic sources, and where possible, to eliminate the release. Then Ms. Repetto outlined the obligations of the parties in connection with wastes and stockpiles. Ms. Repetto made reference to the diverse steps that are necessary in the process of incorporating new POPs into the convention. She also explained the technical and financial assistance and arrangements according to the convention, the regulations about compliance and she described the convention bodies. Mr. Pallemmaerts explained that even though the 12 POPs are only a part of all existing POPs, the convention was particularly interesting because it regulated the production of the chemicals, which was very exceptional.

16/11/2005, 11:40- 12:00

Presentation by the participant from Latvia on the implementation of the Stockholm Convention (Ms. Anita Drondina)

Ms. Drondina gave a presentation on the implementation of the Stockholm Convention in Latvia. She referred to the ratification process of the Stockholm Convention and the steps that Latvia has taken in order to implement the Convention. She referred to the National Implementation Plan, emphasizing that the three main sections of the NIP are the current situation, the strategy and the action programme. Mr. Drondina explained that Latvia developed guiding policy principles in order to protect human health and the environment from the harmful impact of POPs and to promote cooperation. Latvia has also established the national objectives for POPs and identified the priorities of national significance. After that, Ms. Drondina described the various national actions undertaken to realize the national objectives regarding POP's.

16/11/2005, 12:00- 15:00

Exercise on Chemicals (Ms. Rossana Silva Repetto and Prof. Marc Pallemmaerts)

Ms. Repetto and Mr. Pallemmaerts presented the exercise on chemicals. Participants were divided into different groups of hypothetical stakeholders (different national Ministries, NGO's focusing on environmental protection, consumers and rural development, the National Farmers Association, the Trade Union and Importers of agrochemical products). Together they had to develop a national position regarding the listing of a hazardous chemical in the Stockholm Convention that was used for crop protection. The different stakeholder groups had to present their particular view on the national position in connection with the chemical. After the lunch-break the different stakeholder groups

presented their views on the issue taking into consideration their specific interests concerning the chemical.

16/11/2005, 15:30- 16:45

Synergies among chemical conventions (Prof. Marc Pallemmaerts)

Mr. Pallemmaerts gave a presentation on synergies among chemical conventions. He explained the relation between the Stockholm and the Rotterdam Conventions, and that the POPs Convention has a more comprehensive approach. Mr. Pallemmaerts emphasized that both conventions, as well as the Montreal Protocol, covered almost 150 chemicals. He stressed the need of a more comprehensive and coherent approach, as the same chemicals were often targeted through different perspectives. He described gaps of the conventions that needed to be filled. UNEP GC started to consider further measures on chemical risk reduction in 1995, with the outcome of two different conventions. Mr. Pallemmaerts made reference to the Strategic Approach to International Chemicals Management. Mr. Pallemmaerts stated that the actual instruments are not adequate. He emphasized the need for an effective multisectoral institution.

Thursday 17/11/2005, 09:00- 10:15

Compliance with and enforcement of environmental law at the national level (Ms. Elisabeth Mrema, Mr. Arnold Kreilhuber, Ms. Charlotte Salpin)

Ms. Mrema started her presentation by outlining the rapid development of MEAs in the last three decades. She emphasized that after developing a broad range of MEAs, a stronger focus should now be on the implementation of the existing MEAs, even more, because hardly any country is implementing all the ratified MEAs in the appropriate way. She described the diverse reasons for breaches or non-compliance related to MEAs, such as inadequate capacity to implement, fear of investors turning away from the country and the private sector not willing to take risks. Ms. Mrema explained that facilitation of the implementation could be reached by developing guidelines to address crosscutting and common issues of implementation of MEAs in a focused and coordinated way. Ms. Mrema emphasized that implementation of a MEA begins with the negotiation of the treaty, not only after ratification of the MEA. She described measures to enhance international compliance, such as effective participation during the negotiations and regulations within the MEA dealing with non-compliance. Then she outlined the necessary measures to be taken on national level to enhance compliance, such as the development of national implementation and enforcement frameworks, coordination between the various national stakeholders, the use of economic instruments and the establishment of national authorities and focal points. Ms. Mrema introduced the UNEP Manual on Compliance with and Enforcement of MEAs and explained UNEP's role in promoting synergies and compliance with crosscutting issues in MEAs.

17/11/2005, 10:15- 10:40

Presentation by the participant from Venezuela (Mr. Luis Franceschi)

Mr. Franceschi gave a presentation on the Constitutional Regulation of the foreign affairs power as an essential element for the proper implementation and enforcement of environmental treaties. He outlined the connection between environmental law and the national constitution. Mr. Franceschi described the necessary steps for the development of environmental law and the domestication of international conventions. Finally he explained the monist and dualist systems in connection with international environmental law.

17/11/2005, 10:40- 11:00

Presentation by the participant from Israel on the compliance system in his country (Mr. Joshua Pederson)

Mr. Pederson explained the criminal procedures in Israel in order to protect the environment. He emphasized that criminal prosecution is not the only tool to strengthen environmental protection, as sometimes financial incentives are more adequate. Mr. Pedersen explained the Israeli system of criminal prosecution with respect to the environment by outlining the institutional system. The Ministry of Environment operates on a so-called "in-house-system", having its own lawyers, authorized by the Attorney General to prosecute environmental crimes. Fines imposed by the courts go to a special "Environment Fund", administrated by the Ministry of Environment, and can be used for projects related to the Environment.

After this presentation, participants started discussing all three presentations.

17/11/2005, 11:30- 13:00

Exercise on how to set up an effective compliance and enforcement system (Ms. Elisabeth Mrema)

All participants together had to address two scenarios related to compliance with and enforcement of environmental laws. In scenario 1 the participants were taking the role of a hypothetical developing country that had just ratified CITES and CMS. The participants had to propose steps that the country should take to set up its implementing framework for both conventions, as well as the main elements of such a framework. Participants should especially consider the possible synergies between CITES and CMS when dealing with compliance and enforcement issues. After discussion, resource persons commented on the outcomes. Then the second scenario was introduced. Participants were taking the role of a hypothetical coastal developing country. In order to protect its terrestrial and marine heritage, it had set up a National Parks Authority to enforce the national legislation on the biodiversity conservation. Participants were creating proposals for innovative steps that the National Parks Authority could use to improve the enforcement record in a specific coastal area designated as a marine protected area., and especially considered how to engage local communities. In the end the chair was commenting on the diverse proposals made by the participants.

17/11/2005, 14:00- 15:10

The Convention on Migratory Species (CMS) (Mr. Andreas Streit)

Mr. Streit explained that the issue of migratory species shows linkages between ecosystems and sustainable development. He emphasized that migratory species contributed immensely to the structure of ecosystems. Mr. Streit stressed that CMS was a very active member of the Millennium Ecosystem Assessment. He drew a comparison with CITES, which is mainly regulating the international trade of wild animals, while CMS is prohibiting domestic harvesting, and is promoting regional cooperation and the dialogue between different MEAs. After that Mr. Streit explained the binding nature of COP resolutions, but emphasized that there were no enforcement regulations in the convention, which has currently 93 parties.

17/11/2005, 15:10- 15:30

Evaluation session of the GTP-7

The participants engaged in a frank exchange of views about the GTP-7 and gave a broad array of positive and negative remarks about the whole training programme. They also completed two evaluation forms, which offered the possibility to give more detailed and/or anonymous feedback. All comments and feedback will be processed in a detailed evaluation report.

17/11/2005, 16:10- 17:00

Inter-linkages and synergies among MEAs - National level issues and possible ways forward (Mr. Jerry Velasquez)

Mr. Velasquez explained ways to find synergies among MEAs on the national level, such as reporting harmonization, and the challenges in this connection, such as different reporting formats, lack of national coordination and time lag between reports. He recommended harmonizing reporting formats and other commitments to save time and financial resources. Mr. Velasquez pointed out the main challenges in the attempts to harmonize. Finally Mr. Velasquez introduced several handbooks that show synergies between different MEAs with respect to the diverse obligations and provisions contained in the conventions.

Friday 18/11/2005, 9:00- 10:30

Global Environment Facility (Ms. Carmen Tavera)

Ms. Carmen Tavera gave a presentation on the GEF. She outlined the history of the GEF and its establishment. Then she explained the governance and the requirements of additional funding, co-financing and incremental costs. Ms. Tavera described the partnership between GEF and UNDP, World Bank, UNEP and other executing agencies. Furthermore she explained UNEP's role and the role of STAP in detail. She outlined the GEF programming, such as the enabling activities and projects within 15 operational programmes distributed into full size projects, medium-size projects and small grants projects. Ms. Tavera illustrated the GEF strategic objectives related to Biodiversity, Climate Change, International Waters, Ozone Depletion, Persistent Organic Pollutants, Sustainable Land Management and the

Integrated Approach to Ecosystem Management. Finally she outlined the challenges and key events that will occur within the near future of the GEF.

18/11/2005, 10:30- 11:15

GEF (continued) (Ms. Catherine Vallee)

Ms. Vallee explained the project cycle for GEF projects and the funding pathways for full projects, medium-size projects and small grant projects. She outlined common mistakes in project development, such as the co-financing in cash is non-existent, no linkage to national priorities and plans, no involvement of the GEF focal point from the beginning, the stakeholder section is too generic, the sustainability section is too generic or the cost effectiveness analysis is too generic. After that there was a short discussion on the role and importance of the national focal point for GEF projects.

18/11/2005, 11:30- 12:10

GEF (continued) (Mr. Matthias Kern)

Mr. Kern gave a presentation on the Stockholm Convention in connection with the GEF. He started by outlining the mandate of the GEF as the financial mechanism of the Stockholm Convention. He described the POP's strategic objectives of the GEF. Finally Mr. Kern outlined the POP's portfolio of the GEF: Until 2005 the GEF was involved in 124 projects. The greater majority of the projects were enabling activities.

18/11/2005, 12:10- 12:30

Closing session (Ms. Christina Boelcke)

Ms. Boelcke conducted the closing ceremony and awarded the certificates of attendance to the participants. She thanked them for their enthusiastic attendance, involved participation and frank views. The GTP-7 was closed at 12:30.

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