

DAY 1: Monday 25 – September 2023
10:00 am - 13:00 pm (GMT-5)
LEGAL RESPONSES TO COMBAT THE CLIMATE CRISIS

Options Paper for stakeholder discussion

Brief introduction

At the first global meeting of national focal points to the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law¹ (the Programme) that concluded on 9 June 2022 (First in-person Global Meeting), national focal points agreed to three core and interlinked thematic areas for the implementation of the Programme.² The thematic areas, which are legal responses to address the pollution crisis, the climate crisis, and the biodiversity crisis, supplemented by relevant and interlinked cross-cutting activities, express the objectives for an impactful decade of action and implementation.

This session will include an interactive discussion on priority areas to strengthen, develop, or implement appropriate legal and institutional frameworks at the national and subnational levels to implement climate change-related goals and commitments. These discussions will also explore the intricate relationship between biodiversity, climate change, and pollution.

Main objectives

- 1) Provide regional views for the preparation of a report for the national focal points on options for clearly defined priority areas for legal responses to address climate change that would strengthen, develop, or implement appropriate legal and institutional frameworks at the national and subnational level and build the related capacity to mitigate and adapt to climate change, while avoiding duplication and ensuring the mutual supportiveness of efforts with the processes under the UNFCCC and the Paris Agreement.
- 2) To set the scene, inform the meeting about the current state of climate change globally and in the region, as well as any emerging issues of concern, which require policy and legal responses to the climate crisis.

¹ Delivering for People and the Planet: Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (November 2019) (available [here](#)).

² Report of the resumed first global meeting of national focal points for the Fifth Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V): Delivering for people and the planet, UNEP/Env.Law/MTV5/GNFP.1/6/Add.1, 4 July 2022 (available [here](#)); Co-Chairs' Summary of the fifth meeting of the steering committee for implementation, 10 March 2023 (available [here](#)).

- 3) Identify progress in the integration and synergy of multilateral agreements on climate change in the region.
- 4) Highlight key multilateral and national legal measures that are in place to address the climate crisis in the region including national and regional priorities and implementation action relating to the Paris Agreement.
- 5) Integrate human rights, rights to participation, access to information, and to justice in the discussion, as well as the recognition of environmental human rights defenders and indigenous people and local communities in the protection of lands, resources, and territories.
- 6) Identify and evaluate existing opportunities for financing actions for the implementation of actions to comply with obligations assumed under international agreements on climate change.

Agenda

Session Run Sheet				
Session		Legal Responses to Combat the Climate Change Crisis - Leveraging on Montevideo Programme V		
Date and Time		10:00 am – 13:00 pm (Panama Time GMT-5), 25 September 2023		
Platform		In-person and online (Zoom)		
Language		Spanish<>English, with simultaneous Interpretation		
Contact Person		Renée Gift renee.gift@un.org		
Time			Action/Task	Responsibility
Start	Finish	Duration		
			Technical presentations	
10:00	10:05	5 min	Introduction and Welcome	<u>Moderator</u>

			The moderator introduces speakers and shares the objective of the session	Andrea Brusco , Regional Coordinator Environmental Governance Subprogramme, United Nations Environment Programme
10:05	10:15	10 min	Introduction and progress of the international commitments made by the region to address the climate crisis.	Fabiana Rodríguez , UNFCCC Secretariat
10:15	10:25	10 min	Key legal progress of Climate Change in Latin America and the Caribbean	MSc. Ignacio Mora-Barboza , Environmental Legal Consultant
Regional Consultation				
10:25	10:35	10 min	Introduction to discussion questions	Renée Gift , Legal Officer, United Nations Environment Programme
10:35	10:50	15 min	General comments of the questions in plenary	MSc. Ignacio Mora-Barboza , Environmental Legal Consultant
10:50	12:30	1 hour 30 mins (20 min for coffee break)	Break Out for Interactive discussions. The questions will focus on three broad areas: (i) Options for thematic areas related to key principles of legal responses for climate change.	Participants will break out into 2/3 groups, select a chair and rapporteur, and receive guiding questions. <i>(The dynamic of the consultation is to be confirmed considering in-person and online participation)</i>

			<p><i>Consider principles central to action on addressing climate change and obligations under the Paris Agreement such as mitigation, adaptation and resilience and human rights, for example.</i></p> <p>(ii) Options or thematic areas related to institutional agreements and policy formation.</p> <p><i>Consider principles that are foundational to good governance and the rule of law as they relate to climate change, such as establishing strategies and targets, inter-agency/sectoral coordination, accountability and access to information and public participation, for example.</i></p> <p>(iii) Options for thematic areas related to policy implementation.</p> <p><i>Consider policies related to climate change that may be important to your country to enable it to effectively address climate change, such as nature-based solutions, emissions trading, or promoting education and green skills.</i></p>	<p>Facilitators</p> <p><u>Group 1</u> Sylvia Bankobeza, Andrea Brusco</p> <p><u>Group 2</u> Renee Gift, Maria Catalina Pedrozo</p> <p><u>Group 3</u> Ignacio Mora-Barboza, Maria Candela Zaffiro</p>
12:30	13:00	30 min	Main conclusions and close session	Renée Gift and Andrea Brusco

Each Group needs a three-column table to record proposed options and their objectives; The strategy; Activities and potential partners.

Questions	The proposed options and their objectives	The strategy	Activities and potential partners
Key principles of legal responses for climate change			
Institutional agreements and policy formation			
Policy implementation			