

**Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law
(Montevideo Programme V)
Seventh meeting of the steering committee for implementation
15:00-18:00 East Africa Time (UTC+3), 26 and 27 February 2024
United Nations Office in Nairobi -Hybrid**

Co-chairs' Summary

Item 1: Opening of the meeting

1. The seventh meeting of the steering committee for implementation, under the fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V), was opened by Co-chair Mr. Timothy Epp and Co-chair Mr. Marcelo J. Cousillas, who welcomed the committee members.

Item 2: Welcome remarks from the secretariat

2. According to paragraph 6(a) of the Programme, the United Nations Environment Programme (UNEP) serves as its secretariat. Ms. Patricia Kameri-Mbote, Director of the Law Division discharging the secretariat functions on behalf of UNEP, welcomed the committee members to the meeting. She reflected on the Programme's progress since the sixth meeting of the committee, highlighting notable advancements that had been made in the priority areas, particularly in advancing legal responses to address the pollution crisis. Ms. Kameri-Mbote emphasized the seventh meeting's significance, as it coincided with the sixth session of the United Nations Environment Assembly and was only a few months in advance of the second global meeting of national focal points. She then handed over the floor to the Co-chairs to lead the discussions.

Item 3: Introduction of members

3. Mr. Epp, introduced agenda item 3 and invited the members of the committee in attendance to introduce themselves. Mr. Epp also welcomed the new steering committee member from Peru, Mr. Juan Pablo Carrera Luque, and acknowledged the representative nominated to attend on behalf of Mr. Vann Monyneath, the committee member from Cambodia, Mr. Roath Sith. The members in attendance are listed in annex I.

Item 4: Adoption of the agenda

4. Mr. Cousillas, introduced agenda item 4 and invited members to adopt the [agenda \(UNEP/ENV.Law/SC7/1\)](#), as circulated by the secretariat. The agenda was adopted and is included as annex II to the present document.

Item 5: Implementation of the Montevideo Programme V

a) Progress report on the implementation, activities, and funding of the Montevideo Programme V

5. Mr. Epp, introduced agenda item 5(a). He recalled that, under paragraph 6(a)(x) of the Montevideo Programme V, the secretariat was required to report biennially on the implementation, activities and funding of the Programme. He further recalled that during the resumed first global meeting of national focal points (in person/hybrid segment, held in Nairobi from 6 to 9 June 2022), the secretariat had presented an updated report on the status of implementation, activities, and

funding of the Programme as of March 2022.¹ He further recalled that a subsequent draft report, for the period following March 2022, was presented to the members and discussed at the sixth meeting of the committee, held on 13 November 2023, and invited the secretariat to present the revised report to the committee, further to the comments received at that previous meeting.

6. The secretariat then reported on the revisions that had been introduced to the “[Montevideo Programme V: Status of implementation, activities and funding](#)”, (UNEP/ENV.Law/SC7/2, referred to as the Progress Report). The adjustments aimed to highlight high-level results in advancing the Programme’s implementation roadmap, which had been adopted by the committee at its fifth meeting, and to improve the structure of the Progress Report’s content. Looking ahead, the secretariat noted that the report would be processed as an official UN document for the upcoming second global meeting of national focal points scheduled for June 2024, reflecting a status of activities as of March 2024.²

7. Following the secretariat’s presentation, Mr. Epp opened the floor for discussions.

8. Several members of the committee expressed their gratitude to the secretariat for its work on the Progress Report since the last draft and meeting of the committee, noting that most of the comments provided had been taken into account, in relation to the structure and content of the report. A few members indicated that they would reach out bilaterally to the secretariat with additional comments.

9. Mr. Epp concluded that the agenda sub-item item had been adequately addressed and completed and tasked the secretariat to finalize the report, taking into account any additional comments provided by individual committee members, in anticipation of the second global meeting of focal points.

b) Options paper on legal responses to biodiversity

10. Mr. Epp introduced item 5(b) and recalled that during the in-person/hybrid segment of the first global meeting of national focal points, focal points had identified legal responses to combat the biodiversity crisis as one of the thematic areas for implementation by the Programme and had tasked the secretariat to prepare a report 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. He then invited the secretariat to present an update on preparations of this report.

11. The secretariat presented the document (UNEP/ENV.Law/SC7/3, referred to as the biodiversity options paper) it had prepared in that regard,³ outlining the options identified during three regional stakeholders’ consultations. These options had been categorized into four main topics: strengthening legal frameworks related to biodiversity, enhancing enforcement and criminal law in biodiversity, identifying capacity-building needs, and highlighting research areas and required guidance materials. The biodiversity options paper had further detailed specific issues raised during the stakeholders’ consultations, followed by common or cross-cutting themes across the regions.

¹ UNEP/Env.Law/MTV5/GNFP.1/2/Rev.1, available at: <https://leap.unep.org/en/about/meetings/seventh-meeting-steering-committee-implementation#meeting-documents>

² Note from the secretariat: official UN meeting documents must be submitted for processing 12 weeks in advance of the start of the meeting.

³ <https://leap.unep.org/en/about/meetings/seventh-meeting-steering-committee-implementation#meeting-documents>

12. Following the secretariat's presentation, Mr. Epp, opened the floor for discussion. A few members expressed their appreciation to the secretariat for their efforts in compiling the information in the biodiversity options paper. One member noted that the paper presented options in a rather broad manner and suggested that individual committee members have a possibility to submit comments within a two-week period, after the end of the committee meeting. This approach was agreed upon, and the co-chair thanked the members for their input and declared the agenda sub-item concluded.

c) Option papers on legal responses to climate change

13. Mr. Cousillas introduced this agenda item and recalled that during the in-person/hybrid segment of the first global meeting of national focal points, the focal points had identified legal responses to combat the climate crisis as another thematic area for implementation of the Programme, and similarly to their request on legal responses to combat the biodiversity crisis, had tasked the secretariat to prepare a report on clearly defined priority areas to address climate change that would strengthen, develop or implement appropriate legal and institutional frameworks at the national or subnational level and build the related capacity to mitigate and adapt to climate change, while avoiding duplication and ensuring the mutual supportiveness of efforts with processes under United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement . He then invited the secretariat to present an update on preparations of this report.⁴

14. The secretariat presented the document UNEP/ENV.Law/SC7/4, referred to as the climate change options paper, emphasizing its significance in responding to the specific mandate provided by national focal points. As was the case for the biodiversity options paper, the report followed the same approach outlining the options identified in the context of three regional stakeholders' consultations. Proposed options were categorized into four key areas: strengthening legal frameworks, initiating awareness campaigns, bolstering capacity-building efforts, and advancing research initiatives.

15. Following the secretariat's presentation, Mr. Cousillas, opened the floor for discussions.

16. A few members expressed their gratitude to the secretariat for its work in preparing the options paper under consideration. The members emphasized the need to ensure no overlap with other activities in relevant fora, notably those under the UNFCCC. The secretariat clarified that consultations had been conducted with other stakeholders to avoid duplication and overlap of activities in the area of legal responses to climate change. Members agreed that they would provide additional comments to the options paper, as deemed necessary, during the next two weeks after their committee meeting.

17. Partnerships and stakeholder engagement strategy

18. Mr. Cousillas opened the discussion by introducing the agenda item 5(d). He recalled that the secretariat had presented the revised draft of the partnerships and stakeholder engagement strategy (the draft strategy) during the committee meeting of 13 November 2023. After that meeting, the secretariat had prepared an updated version of the draft strategy that aimed to incorporate the committee comments, and he therefore invited the secretariat to present the latest draft strategy.

⁴ <https://leap.unep.org/en/about/meetings/seventh-meeting-steering-committee-implementation#meeting-documents>

19. The secretariat presented the draft strategy, UNEP/ENV.Law/SC7/5, highlighting changes introduced. As already explained in the draft strategy, feedback received from UNEP's Governance Affairs Office had stressed the need for alignment of the draft strategy with other relevant UNEP and UN strategies, policies, and guidelines. Consequently, the secretariat had made changes in reference to paragraph 5 (c) of the Programme at paragraph 10 of the strategy and clarified goals to avoid duplication with other environmental law initiatives and activities. The secretariat reiterated that the next step was for the steering committee to consider the adoption of the strategy.

20. Following the secretariat's presentation, Mr. Cousillas, Co-chair, opened the floor for discussions.

21. Committee members recognized the secretariat's effort in addressing the committee's comments. With support from the committee members, Mr. Cousillas considered the partnerships and engagement strategy adopted and closed the agenda item.

Item 6: Visibility of the Montevideo Programme V

22. Mr. Epp opened the discussion by introducing the agenda item, drawing attention to the need to raise visibility about the Programme, as had previously been agreed upon by committee members.

23. The secretariat informed the committee that UNEP Law and Environment Assistance Platform (UNEP-LEAP) had been pivotal in driving visibility, with 1,132,577 users recorded on the platform over the past year, representing a broad regional representation. The secretariat had also received approximately 20 requests from stakeholders and governments through LEAP's clearing house mechanism. Efforts were ongoing to update and improve the platform's design, structure, and content to enhance uptake among countries and stakeholders.

24. The secretariat also informed the committee that the digital Handbook for the Fifth Montevideo Programme on the Progressive Development and Implementation of Environmental Law had been finalized and was being processed internally for final publication. The Handbook, which aimed to provide essential information on the Programme and was expected to enhance its visibility, would be digitally available on the UNEP-LEAP platform. The secretariat reiterated UNEP's strict corporate name and logo policy, aimed at preserving a unified "one UNEP" identity. Collaboration efforts were, however, ongoing with the Communication Division, including the development of web stories on UNEP's web site, feeds, and social media assets. The secretariat was also seeking to secure funding to make the content of the Montevideo promotional video available into other UN official languages. Committee members were encouraged to promote the Programme at prominent events and conferences that they have an opportunity to participate.

25. Members thanked the secretariat for the information provided. They agreed that there was a need to raise the Programme's visibility through diverse channels to reach to wider audiences. One member proposed that a newsletter could be produced dedicated to the Programme, and the idea of possibly creating a special section on the Programme under the UNEP'S Environmental Governance Update Quarterly Newsletters was suggested.

26. Mr. Epp, Co-Chair, thanked the members for their contributions to the discussion and concluded the agenda item. He instructed the secretariat to take the observations into consideration as they further strengthen the Programme's visibility.

Item 7: Review of the modalities of work - term of office and continuity of the Committee's work

27. Mr. Epp, introduced the agenda item, recalling that under paragraph 14 of the modalities of work, the steering committee may consider revisions to its modalities as and when necessary, and make relevant proposals for consideration and adoption by the national focal points at their next global meeting. He invited the committee members to consider whether any proposals would be relevant, in view of possible re-designation of all present members at the next meeting, the completion of their term of office at the end of their second global meeting, and the need to ensure continuity in the composition of the committee, so that not all members are replaced at once.

28. Committee members agreed that they would raise the issue of continuity in the context of the regional coordination meetings in advance of the upcoming second global meeting.

Item 8: Provisional agenda and thematic focus of the next global meeting of the national focal points

29. Mr. Cousillas, introduced this agenda item. According to paragraph 6(b)(vi) of the Montevideo Programme V, national focal points were to participate in biennial global meetings. The secretariat had already made arrangements for the second global meeting of national focal points to be held in Nairobi from 3 to 5 June 2024. Mr. Cousillas then invited the secretariat to update the committee on the arrangements and the draft agenda it had prepared, at the request of the committee on its sixth meeting.

30. The secretariat outlined two issues: that synergies with the legal advisers of multilateral environmental agreements (MEAs) secretariats had been sought through annual meetings to cooperate and ensure mutual supportiveness; and that there had been preliminary ideas ranging from plastic pollution legislation to capacity building for MEAs implementation regarding the thematic focus of the next global meeting of national focal points.

31. Mr. Cousillas then opened the floor for discussion on the thematic focus of the next meeting. Members discussed at length, and they agreed on the provisional agenda (see annex III), and a theme on procedural rights and environmental defenders for the next meeting, following which Mr. Cousillas, concluded discussions on the agenda item.

Item 9: Next meeting of the steering committee for implementation

a) Date, time, and venue

32. Mr. Cousillas introduced this agenda item and recalled that in accordance with paragraph 11 of its modalities of work, the steering committee should, at each of its meetings, decided on the date, time and venue of its next meeting.

33. The secretariat provided options for dates for the next meeting of the committee, and it was suggested that the eighth meeting of the steering committee be held in the morning of Monday, 3 June, from 10am to 1pm, before the opening of the second global meeting of the national focal points, which is scheduled in the afternoon of Monday, 3 June, at 3pm.

34. There being no objections, it was agreed that the secretariat, in consultation with the Co-chairs, would convene the next meeting in June 2024.

b) Draft provisional agenda

35. Mr. Cousillas, introduced this agenda item and requested the secretariat to provide an outline of a draft provisional agenda for the next meeting of the committee (annex IV). The

committee agreed to the elements of the draft provisional agenda, annexed to this brief, and the co-chair closed the discussion of this item.

Item 10: Any other business

36. Mr. Cousillas, co-chair, introduced agenda item and as there was no other business, thereafter, proceeded to the next agenda item.

Item 11: Closure of the meeting

37. Closing remarks were provided by the Co-chairs, Mr. Cousillas and Mr. Epp, who highlighted the need to continue progress of the implementation of the Programme. They thanked members for the participation.

Annex I: Members of the steering committee for implementation in attendance at the meeting

Bosnia and Herzegovina, Ms. Azra Rogović-Grubić

Burkina Faso, Mr. Gontran Yanbefar Some

Cambodia, Mr. Roath Sith as nominated to represent Mr. Vann Monyneath

Finland, Ms. Charlotta von Troil

Peru, Mr. Hector Daniel Benitez Castro

Saint Lucia, Ms. Kate Wilson

Switzerland, Mr. Vincent Bohnenblust

Uganda, Ms. Sarah Naigaga

Uruguay, Mr. Marcelo J. Cousillas

USA, Mr. Timothy Epp

Zambia, Ms. Karen Banda

Annex II: Agenda of seventh meeting of the steering committee for implementation as adopted

1. Opening of the meeting.
2. Welcome remarks from the secretariat.
3. Introductions of members.
4. Adoption of the agenda.
5. Implementation of Montevideo Programme V:
 - a) Progress report on the implementation, activities, and funding of the Montevideo Programme V;
 - b) Options paper on legal responses to biodiversity.
 - c) Options paper on legal responses to climate change.
 - d) Partnerships and stakeholder engagement strategy;
6. Visibility of the Montevideo Programme V.
7. Review of the modalities of work – term of office and continuity of the Committee’s work.
8. Provisional agenda and thematic focus of the next global meeting of the national focal points.
9. Next meeting of the steering committee for implementation:
 - a) Date, time and venue.
 - b) Draft provisional agenda.
10. Any other business.
11. Closure of the meeting.

Annex III: Provisional agenda of second global meeting of the national focal points

1. Opening of the meeting.
2. Organizational matters:
 - a. Adoption of the agenda.
 - b. Organization of work.
3. National focal points.
4. Implementation of the fifth Programme for the Development and Periodic Review of Environmental Law:
 - a. Status of implementation, activities and funding;
 - b. Priority areas for implementation and implementation of roadmaps;
 - c. Emerging issues in environmental law.
5. Partnerships and stakeholder engagement.
6. Steering committee for implementation:
 - (a) Designation of the steering committee for implementation
7. Dates and venue of the third global meeting of national focal points.
8. Other matters.
9. Adoption of the outcomes of the meeting.
10. Closure of the meeting.

Annex IV: Provisional agenda of eighth meeting of the steering committee for implementation

Agenda

1. Opening of the meeting.
2. Welcome remarks from the secretariat.
3. Introductions of members.
4. Adoption of the agenda.
5. Preparations for the second global meeting of the national focal points.
- 5bis* Possible amendment to the modalities of work of the Committee
6. Date, time, and venue of the next meeting of the steering committee for Implementation.
7. Any other business.
8. Closure of the meeting.