

**IUCN – The World Conservation Union**  
**IUCN Environmental Law Programme Capacity Building Initiative**

**Name of the Partnership/Initiative:**

*‘Environmental Law Capacity Building Programme for Sustainable Development’*

**Expected date of initiation:** 2002

**Expected date of completion:** 2005

(Note: *Phase I of three phases, Phase III to be completed in 2013, see below*)

**Partners:**

**Governments:**

IUCN Members (IUCN has 79 State members and 112 government agency members).

**Intergovernmental organizations:**

IUCN already partners with UNEP and FAO through ECOLEX, ‘the Gateway to Environmental Law’, which forms an integral part of this capacity building initiative and has partnered with UNEP in helping to establish a global network of judges.

Other *potential* intergovernmental partners include: UNDP, GEF, UNITAR (with whom IUCN Environmental Law Programme (ELP) has entered a memorandum of understanding), FAO, The World Bank and regional development banks.

**Major groups:**

IUCN Members (IUCN has 760 NGO members, including 72 International NGO members, and 42 IUCN regional and country offices).

IUCN ELP regional ‘centres of excellence’ in Brazil, China, Kuwait, Singapore and the Russian Federation, together with the centre to be opened in Lahore, Pakistan in 2003, will be key regional/national partners.

Other organisations with whom the ELP has memoranda of understanding, including the South Pacific Regional Environment Programme (SPREP), the Peruvian Environmental Law Society (SPDA), the Argentinean Foundation for Environment and Natural Resources (FARN), Lawyers for a Green Planet Institute (Brazil) and the Regional Environmental Centre for Central and Eastern Europe (REC), will also be key regional/national partners.

**Other:**

Other potential partners *include*, the Environment Law Institute (ELI), Australian Centre for Environmental Law (ACEL), World Environment Centre (WEC), International Centre for Environmental Law (ICEL), Foundation for International Environmental Law and Development (FIELD), World Wide Fund for Nature (New Delhi) and Pace University all of whom have a longstanding association with the IUCN ELP.

**Leading Partner:** (Name of the contact person/focal point)

IUCN Environmental Law Programme

John Scanlon

Head, IUCN Environmental Law Programme

Director, IUCN Environmental Law Centre (Bonn)

*Address:* Godesberger Allee 108-112 D-53175 Bonn, Germany

*Phone:* +49 228 26 92 231

*Fax:* +49 228 26 92 250

*E-mail:* secretariat@elc.iucn.org

**Main objectives of the Partnership/Initiative**

*'For every country to have the capacity to actively participate in the international policy debate, to implement what is agreed through co-ordinated policies, laws and institutions that respect the rule of law and to ensure effective compliance with environmental laws.'*

**Please also provide a brief description of the relationship of the Partnership/Initiative with the objectives of Agenda 21...:**

The international community is increasingly calling for the identification and development of more effective 'links' and 'synergies' between conventions and for better 'mainstreaming' of issues. These calls apply equally to capacity building initiatives that often serve to reinforce difference rather than synergy, separation rather than links.

There is an agreed need to further progress the implementation of Agenda 21 but effective implementation will not occur without capacity building and effective governance. There is a need to develop and invest in a major new framework for environmental law capacity building at all levels, one that serves to forge links between existing institutions and processes and facilitates good governance for sustainable development.

To be effective, such a programme requires global coordination, regional and national delivery and effective collaboration through a partnership of leading international, regional and national organizations.

The development of a co-ordinated programme provides a context within which to develop and promote specific projects, including ECOLEX, the web based access to IUCN, UNEP and FAO environmental law and policy information, the IUCN International Academy on Environmental Law, and training projects such as synergies between the Rio Conventions (and links with other MEA's) and achieving effective compliance at the national level.

Specific references to the need for a co-ordinated approach to capacity building include:

**WSSD PrepComs:** The PrepComs have identified the importance of focussing greater efforts on implementation, governance and capacity building. There is a clear need to take a programmatic approach to capacity building to better facilitate the effective and co-ordinated implementation of Agenda 21 and the Rio Conventions.

**UNEP led deliberations:** The need for a co-ordinated *programme* of capacity building activities has been promoted through the UNEP Open-ended Intergovernmental Group of Ministers or their Representatives on International Environmental Governance.

**GEF initiatives:** The GEF's 18 month Capacity Building Initiative recognised the lack of

synchronisation between national policy, legal and regulatory frameworks, and the need for more programmatic and regional approaches to capacity building.

**Montevideo Programme III:** Section two is dedicated to capacity building through many different means including: seminars, workshops, training, publications, teaching and through promoting collaboration and co-ordination. (See also Section eight on the provision of information, including through ECOLEX).

**Agenda 21:** A number of different Chapters could be referred to as capacity building is a theme that cuts across most issues. Chapters 8.19 – 20 call for establishing a co-operative training network for sustainable development law and support, working together to develop integrated compliance strategies, and co-ordination through providing legal information services with legal expert advice.

**UN Millennium Declaration:** The Declaration reaffirms support for the principles of sustainable development, including those set out in Agenda 21 and declares that no effort will be spared “to promote democracy and strengthen the rule of law”. It also calls for the strengthening of capacity of all countries to implement the principles and practices of democracy.

#### **Expected results:**

Making real progress towards each country having the capacity to actively participate in the international policy debate, to implement what is agreed through co-ordinated policies, laws and institutions that respect the rule of law and to ensure effective compliance with environmental laws, achieved through a co-ordinated programme of activities, including: Academic education, Practical training, Expert forums, International experience, Publications, Technical assistance and Information (see IUCN ELP Website capacity building initiative matrix: [www.iucn.org/themes/law](http://www.iucn.org/themes/law))

#### **Specific targets of the Partnership/Initiative and timeframe for their achievement:**

Developing countries and countries with economies in transition.

Phase I: 2002-2005, Phase II: 2006-2009, Phase III: 2010-2013.

#### **Coordination and Implementation mechanism**

The IUCN (global) Environmental Law Centre (ELC) will *facilitate* co-operation, co-ordination and regional and national delivery.

IUCN’s Environmental Law Programme (ELP), established in 1958, is the world’s environmental law network. It has the ability to mobilise and co-ordinate the efforts of the best environmental lawyers and organisations from countries all over the world. The ELP includes the Commission on Environmental Law, a volunteer network of over 750 of the world’s leading environmental lawyers from 120 countries around the world. IUCN ELP has a long and successful track record of working in partnership with others to develop and deliver major capacity building projects and it is ideally placed to take the lead in the development of such a programme and related projects.

IUCN is a membership based organisation, with 79 State members, 112 government and 735 national and international NGO members (together with 42 regional and country offices, and a volunteer network of over 10,000 experts in six commissions), and can facilitate self assessment of capacity building needs from both a government and civil society perspective.

**Arrangements for capacity building and technology transfer**

See the IUCN ELP Website capacity building initiative matrix: [www.iucn.org/themes/law](http://www.iucn.org/themes/law)

**Links of Partnership/Initiative with on-going sustainable development activities at the international and/or regional level (if any)**

The establishment of five regional ‘centres of excellence’, the most recent being the Arab Regional Centre for Environmental Law (ARCEL), with the Kuwait University (the first such centre in the Arabic speaking world), with a sixth to be established in 2003;

The highly successful ADB funded ‘Train the Trainers’ course held at the Asia Pacific Centre for Environmental Law (APCEL), University of Singapore (the first regional ‘centre of excellence’ to be established) to promote the development of environmental law skills in Asia and the Pacific and the publication of “Capacity Building for Environmental Law in the Asia and Pacific Region: Approached and Resources”;

Successfully hosting fellows, interns, researchers and delegations at the IUCN ELC from all over the world;

Assisting national delegations to international meetings with clear, objective and timely policy briefings and assistance;

The development of the much sought after Guide to the Convention on Biological Diversity and the soon to be completed Explanatory Guide to the Cartagena Protocol on Biosafety; and

Technical Assistance to developing countries upon request ranging from review, diagnosis and preparation of inventories of existing legislation, to identifying measures for strengthening national legislation, and assisting in drafting new legal instruments. Examples of countries receiving various levels and types of technical assistance include India, Saudi Arabia, Oman, Gambia, Kenya, Sudan, Uganda, Swaziland, Indonesia, Vietnam, the Solomon Islands, Argentina, Ecuador, Chile, Brazil, the Philippines, Eritrea and Ethiopia, to cite but a few.

**Other relevant information:**

A matrix for this capacity building initiative together with details of IUCN ELP’s extensive involvement with capacity building initiatives since its inception in 1958 can be found on the IUCN ELP Website: [www.iucn.org/themes/law](http://www.iucn.org/themes/law)

Web-site (if available): [www.iucn.org/themes/law](http://www.iucn.org/themes/law)

***Name and contact information of the person filling in this table:***

*Name:* John Scanlon

*Position:* Head, IUCN Environmental Law Programme, Director IUCN Environmental Law Centre (Bonn)

*Address:* Godesberger Allee 108-112 D-53175 Bonn, Germany

*Phone:* +49 228 26 92 231

*Fax:* +49 228 26 92 250

*E-mail:* [secretariat@elc.iucn.org](mailto:secretariat@elc.iucn.org)