



IUCN Environmental Law Programme

– The Year in Review 2015 –

Prepared by:

**IUCN Environmental Law Centre and
IUCN World Commission on Environmental Law**

IUCN Environmental Law Programme

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INTRODUCTION

The International Union for Conservation of Nature (IUCN) is a membership Union uniquely composed of both government and civil society organizations. It provides public, private and non-governmental organizations with the knowledge and tools that enable human progress, economic development and nature conservation to take place together.

Created in 1948, IUCN has evolved into the world's largest and most diverse environmental network. It harnesses the experience, resources and reach of its 1,300 Member organizations and the input of some 15,000 experts. Our Member organizations are represented by the IUCN Council – the governing body. Headquartered in Switzerland, IUCN Secretariat comprises 1,000 staff in 45 countries.

The IUCN Environmental Law Programme (ELP) comprises the World Commission on Environmental Law (WCEL) and the Environmental Law Centre (ELC), in collaboration, as appropriate, with the IUCN Academy of Environmental Law.

The mission of the ELP is to advance environmental law through the development of legal concepts and instruments, and to facilitate the use of environmental law as a tool to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. The ELP is an integrated programme of activities that assists decision makers with information, legal analysis, advisory services, legislative drafting, mentoring and capacity building at national, regional and global levels.

The WCEL is a network of environmental law and policy experts from all regions of the world who volunteer their knowledge and services to IUCN activities, especially to those of the IUCN Environmental Law Programme. As of the end of 2015, WCEL had over 1,400 members, including judges, prosecutors, government attorneys, private attorneys, law professors, and others engaged in the Commission's work and mission.

The ELC is a programme unit of the IUCN secretariat. It coordinates the promotion of environmental law as a tool for sustainable development and resource governance. It acts as the secretariat for the WCEL, and works in collaboration with the whole of IUCN, together with many other partners from across the globe. The ELC also houses an extensive library of environmental law holdings and is the management unit for ECOLEX, 'The Gateway to Environmental Law' (www.ecolex.org), a web-based information system operated as a joint initiative of the Food and Agriculture Organization (FAO), IUCN and the United Nations Environment Programme (UNEP).

In 2015, the ELP continued the implementation of the IUCN programme (2013-16), focusing on three global programme areas. First, 'Valuing and Conserving Nature' enhances IUCN's heartland work on biodiversity conservation, emphasizing both tangible and intangible values of nature. Second, 'Effective and Equitable Governance of Nature's Use' consolidates IUCN's work on people-nature relations, rights and responsibilities, and the political economy of nature. Third, 'Deploying Nature-based Solutions to Global Challenges' expands IUCN's work on nature's contribution to tackling problems of sustainable development, particularly in climate change, wildlife trade, and social and economic development.

ENVIRONMENTAL LAW CENTRE

Programme Area 1: Valuing and Conserving Nature

(i) Species

In an effort to explore the maximum use of international legal instruments to tackle the staggering illegal trade in globally threatened species, the ELC partnering with TRAFFIC began a new project in 2015 to address wildlife crime. The project aims to strengthen legal frameworks for addressing wildlife crime in East Africa (initially focused on Tanzania) by evaluating case law to determine how legal tools are being used in courts, and what issues or challenges this creates. This analysis will contribute to development of recommendations for improving design and implementation of legal frameworks, as well as capacity building for magistrates and other legal actors.

The inception meeting of the project was organized in October in Dar es Salaam, Tanzania. During the meeting, participants discussed relevant aspects of the Tanzanian legal and judicial system that may impact the collection of cases and case law analysis and agreed to focus on cases from both the high court and district courts. It is expected that by April 2016, about 600 cases will be analyzed to identifying strengths and weaknesses in the judicial chain, and potential obstacles to the complete enforcement of existing legislation. Findings arising from this case-law analysis will inform the formulation of recommendations for improving and reinforcing the legal framework on wildlife offences in Tanzania. They will also be used to develop capacity-building materials and workshops to enhance judges' and magistrates' knowledge of wildlife legislation.

In addition to the work in Tanzania, the ELC has been engaging in several discussions concerning wildlife crime, including a meeting of experts held in Geneva in January to discuss possibilities for ways forward in addressing wildlife crime as a form of transnational organized crime. The meeting brought together experts from INTERPOL, the Global Initiative against Transnational Organized Crime, WWF, and national authorities, among others.

(ii) Protected Areas

2015 saw the completion of major activities of 'Capacity Building for Protected Areas Law and Governance', a project jointly delivered by the ELC, WCEL, the World Commission on Protected Areas (WCPA), the IUCN Academy of Environmental Law, the IUCN Global Programme of Protected Areas and three IUCN regional programmes in Africa and Mesoamerica.

A training curriculum consisting of 12 modules was developed to cover key legal aspects of management and governance of protected areas and connected landscapes, systems and processes in the terrestrial and marine context. The 12 modules can stand alone or work together in different combinations, adding up to a complete course. Each module includes a comprehensive seminar presentation, interactive exercises, and short videos highlighting principal aspects of the topic. These materials were designed to support educators in a wide variety of settings, such as training sessions, workshops, university courses and practitioner seminars, and for teaching both legal practitioners and non-lawyers.

All these materials are freely available on www.protectedareaslaw.org. This platform was launched in September at the IUCN Academy of Environmental Law Colloquium held in Jakarta, Indonesia. Translation of the modules into French and Spanish has started and will progressively be made available on the website.

In 2015, these training materials were pilot tested at the University of Illinois, USA and at workshops in Germany, Africa and Meso-America. In November, the ELC in cooperation with the Research Institute of Environmental Law (RIEL) at Wuhan University, WCEL and the IUCN Academy of Environmental Law organized a “Teachers and Trainers Workshop” at Wuhan University in China for university law teachers and government or NGO trainers in the Asian region. The teaching curriculum and materials developed over the last two years were introduced to 22 participants from countries across Asia, from India to Thailand to Mongolia.

(iii) Water

In 2015, transboundary water governance remained a major focus of the ELC’s work. BRIDGE (Building River Dialogue and Governance) was extended from South America, Mesoamerica and Asia to the African region, covering five African basins in the Horn of Africa, Eastern and Southern Africa, and West and Central Africa.

As part of BRIDGE support facilities, the ELC coordinated dialogues and courses on capacity building for high-level authorities and diplomats as well as for local-level representatives were given with focus on legal, policy, institutional, and economic aspects of transboundary water governance, including practical exercises to put the skills and concepts gained into practice.

High level training courses on governance of shared waters with officials from the Ministry of Foreign Affairs were held in Honduras and Panama (February), in Hanoi and Buom Me Thuot, Vietnam and Siem Reap, Cambodia (April), in Panama City and San José, Costa Rica (August) and in Quito, Ecuador, in San Salvador, El Salvador and in Lima, Peru (November). During these trainings the newly designed BRIDGE Legal Assessment Tool on Water Governance (LAGO) was piloted and participants were able to identify the gaps in policies, laws, institutions and implementation capacities in relation to water governance.

The ELC also coordinated capacity building for basin authority representatives and local stakeholders’ trainings: In May, BRIDGE facilitated a hydro diplomacy and benefit sharing training with the Technical Advisory Committee of the Intergovernmental Authority on Development (IGAD) in Entebbe, Uganda, attended by the Technical Advisory Committee (TAC) members of the IGAD Inland Water Resources Project, legal experts from the six active IGAD region and IGAD Secretariat staff. In July, training on International Water Law and Hydrodiplomacy was held in Nairobi, Kenya as part of the support to the development of the IGAD Regional Protocol on Water Resources.

In October, a regional workshop on training and sharing management experience between stakeholders of the Lake Chad Basin and the Mano River Union was organized in Abidjan, Ivory Coast. Countries from the Lake Chad basin have developed a Charter under the auspices of the Lake Chad Commission which still requires ratification by some basin states, and the Mano River riparians are currently working on the elaboration of a regional instrument to set up the legal and institutional basis for an effective shared water governance framework of the Mano River. The workshop helped to support the existing cooperation process in both Lake Chad and the Mano River basins.

New materials developed for the above mentioned workshops and trainings have been continuously uploaded to the Water Law and Governance Support Platform (www.waterlawandgovernance.org) for wider use. The website will additionally be available in Spanish and French.

The ELC was also actively engaged in international fora and conferences related to water governance, including the Inter-American Congress on the Environmental Rule of Law in Montego Bay, Jamaica, the 15th World Water Congress in Edinburgh, Scotland, the World Water Week in Stockholm, Sweden, the ‘Informal Gathering of the Parties to the UN Watercourses Convention’ at

the UNESCO Headquarters in Paris, the “Water Resources Management in the context of climate change for Central Asia and Afghanistan Conference” in Almaty, Kazakhstan and the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris.

(iv) Marine

At the 2012 UN Conference on Sustainable Development (Rio +20), States committed themselves "to address, on an urgent basis ... the issue of the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, including by taking a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea." In June 2015, the UN General Assembly decided to create a Preparatory Committee to develop substantive recommendations on the elements of a draft text of an international legally binding instrument.

With a view of supporting the UN decision-making process, the ELC, the IUCN Global Marine and Polar Programme and a group of international experts on the law of the sea have continued developing a matrix of options for an UNCLOS implementing agreement and active engagement through consultation and workshops. The matrix of options provides comprehensive information on potential elements of a new instrument relating to marine genetic resources, marine protected areas, environmental impact assessments, and capacity building and technology transfer. It is supported by a series of policy briefs on different technical issues in addressing biodiversity beyond national jurisdiction.

It was presented at relevant occasions in Germany, at the expert meeting of the European Commission, and to representatives from two dozen governments as well as legal and scientific experts at a High Seas Workshop held in Tarrytown, NY, USA in November.

Programme Area 2: Effective and Equitable Governance of Nature’s Use

(i) Natural Resources Governance Framework

The Natural Resources Governance Framework (NRGF) is one of the flagship knowledge products included in the IUCN 2013-16 Programme. To explore the legal foundation of this tool, the ELC and WCEL have initiated collaboration with six universities and institutions from Australia, New Zealand, China, South Africa and Brazil in 2014 to assess different legal principles and natural resource issues using an agreed methodology.

In 2015, the ELC worked closely with the university teams to compile these case studies, together with a description of the methodology, into an e-book that could inform future work on assessment of environmental law and governance. The book will be published as an Environmental Policy and Law Paper (EPLP) in 2016.

In addition, a legal effectiveness assessment methodology and research platform www.lawforsustainability.org was created to host a set of tools and resources for assessing and improving legal aspects of natural resources governance. These tools include:

- A methodological framework for assessment of legal aspects of natural resources governance;
- A growing body of case studies implementing the framework in different countries and contexts; and

- A set of reports and other resources related to improving effectiveness of law for sustainability.

In September, the platform was launched at the IUCN Academy of Environmental Law Colloquium in Jakarta, Indonesia.

(ii) Access and Benefit Sharing

As a consortium member for two European Commission funded projects – Marine Microbial Biodiversity, Bioinformatics and Biotechnology (Micro B3) and PharmaSea – the ELC continued providing its expertise on access and benefit sharing (ABS) to the development of different tools to facilitate ABS compliance in marine research and development activities.

As one of the IUCN’s deliverables under the Micro B3 project, the report “At the Crossroads of Open Access to Data with Access and Benefit-Sharing Requirements – Promoting Pre-competitive Scientific Research” was produced and uploaded on an online collaborative platform for authors and reviewers.

Programme Area 3: Deploying nature-based solutions to the global challenges of climate change, food security and sustainable development

(i) Integrated Planning

While more and more countries are advancing the connection between planning, biodiversity and climate change, in many countries these considerations are not yet reflected in planning regulations or policy and neither are there effective tools and approaches in place to facilitate improved integration. Collaborating closely with IUCN Global Protected Areas Programme and regional offices in Asia, East and Southern Africa and South America, the ELC advanced the implementation of a project ‘Integrated Planning to Implement the CBD Strategic Plan and Increase Ecosystem Resilience to Climate Change’ supported by the German International Climate Initiative.

The project endeavors to increase capacity to optimize planning to support biodiversity and climate change adaptation objectives, including through the effective engagement of protected area systems in Vietnam, Tanzania, Zambia and Colombia.

After the initial launch in Colombia and Vietnam the previous year, the project was officially launched in 2015 with two inception meetings held in January in Tanzania and June in Zambia. At both meetings, participants identified priority activities, defined geographical focal areas and identified partners for project implementation.

A major output of the project is to produce a global assessment containing a wide selection of successful case studies to illustrate innovative and effective legal, policy and procedural land-use planning options. In 2015, 16 country studies (Argentina, Belgium, Bolivia, South Africa, Colombia, Germany, Brazil, Tanzania, Mongolia, Netherlands, Turkey, United States, Australia, Cameroon, Zambia, and Vietnam) were finalized, in which different experts described the legal framework for land use planning and how biodiversity and climate change are integrated into the spatial planning frameworks.

Working together with selected experts, the ELC hopes to draw from the reports and formulate global hallmarks for integrating climate change and biodiversity into spatial planning frameworks. The national reports and global analysis will be made available online at a later stage.

ELC Interns

Nine interns from Chile, Costa Rica, Ecuador, France, Kenya, Greece, Italy, and Sweden worked at the ELC in 2015 for periods of three to six months. They contributed to activities and projects on diverse topics including: access and benefit sharing, water governance, rights-based approaches to conservation, protected areas, and climate change adaptation.

Knowledge Management

Environmental Law Information Services – ECOLEX

ECOLEX, a global hub of information in the field of environmental law, includes data on treaties, national legislation, judicial decisions, and law and policy literature. To date, ECOLEX includes extensive information on 2157 multilateral and bilateral environmental treaties, 115 576 national legal instruments, 1760 court decisions and 37 242 bibliographic references to law and policy literature. It received 23 697 visits from users worldwide in 2015.

Revamping the ECOLEX portal

The 20th ECOLEX Steering Committee recommended restructuring the ECOLEX interface in order to keep track with new technologies. During 2015 the ECOLEX Management Unit concentrated on this revamp process based on a prototype that was developed for endorsement on the 21st ECOLEX Steering Committee in May. The ECOLEX portal has a new software which allows interoperability with potential other information sources and provides traceability to the partner's data collections. The new faceted search tool is based on proved search needs and intuitive retrieval options. The sophisticated development and complex and comprehensive quality control are in progress and the new interface will be launched in spring 2016.

Thesaurus on Environmental Law and Conventions

The UNEP-supported Multilateral Environment Agreement Information and Knowledge Management (MEA IKM) Initiative seeks to develop harmonized interoperable information systems for the benefit of Parties and the environment community at large. One of the projects MEA IKM pursues is the development of a Thesaurus on Environmental Law and Conventions, an initiative funded by the European Union. In 2014, through a bidding process, the ELC was granted the opportunity to support MEA IKM to develop and compile a draft thesaurus.

During 2015, a thesaurus was developed containing approx. 500 concepts based on existing terminologies provided by UNEP affiliated MEAs (such as UNFCCC, UNCCD, BRS cluster, CBD, CMS, Ramsar, CITES and ITPGRFA) as well as ECOLEX/FAOLEX controlled vocabulary. The collection was harmonized on a basis of commonly agreed recommendations and completed with additional synonyms, definitions, translations and potential alignments to other interoperable information tools. In September, as observer to the 6th MEA Information and Knowledge Management (IKM) Initiative Steering Committee Meeting held in Montreux, Switzerland, the ELC presented the draft Thesaurus on Environmental Law for endorsement through the dedicated interface LEO – the Law and Environmental Ontology, a retrieval system that - in cooperation with ECOLEX - offers access to MEA documentation. The collection is currently validated and updated based on comments and exercises in a multi-stakeholder approach by MEA focal points.

(VII) Selected Publications in 2015

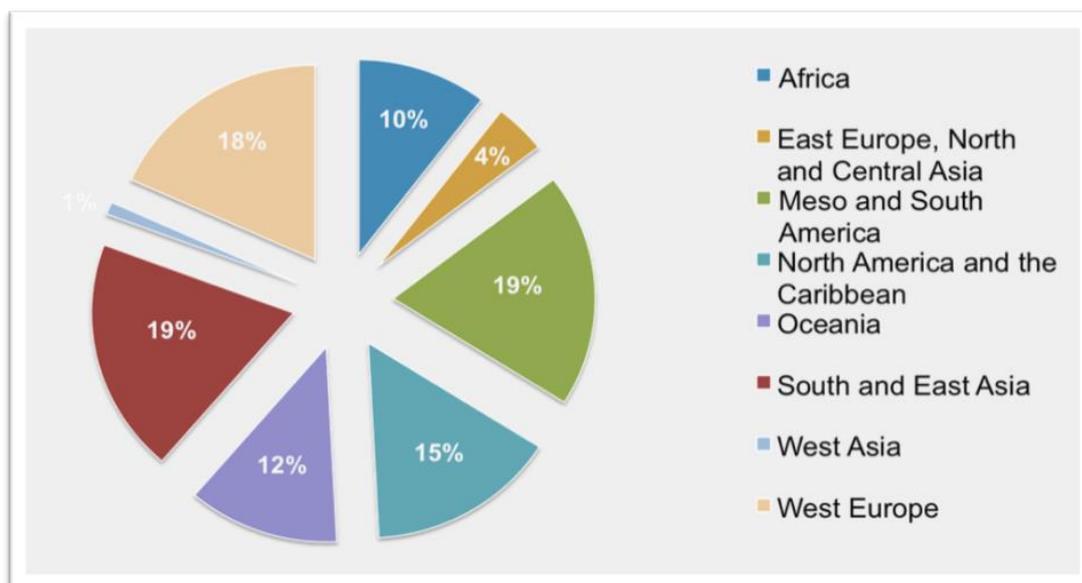
- *Ethics and climate change: a study of national commitments*, Donald A. Brown and Prue Taylor (Eds.) EPLP No. 84, IUCN Environmental Law Centre, 2015.
- *The Principle of Non Regression of Environmental Law in Ibero-America*, Mario Peña Chacón, EPLP No. 84, IUCN Environmental Law Centre, 2015.
- *Forestry Law in Mesoamerica (Legalidad Forestal en Mesoamérica)*, Grethel Aguilar, Alejandro Iza, EPLP No. 82, IUCN Environmental Law Centre, 2015.

(B) World Commission on Environmental Law (WCEL)

Membership

2015 marked a time of significant membership growth for the WCEL. The Commission expanded its membership base from just over 1,050 members to more than 1,400 worldwide. The Commission has also grown its regional representation and involvement of new and old members in important environmental law work through its Specialist Groups, events, capacity development initiatives and other efforts in collaboration with the wider IUCN network and other longtime partners such as UNEP and the OAS.

Most of the Commission's membership growth in 2015 came from historically underrepresented regions, namely Asia, Africa, and Meso and South America, as a result of strategic outreach and initiatives to grow representation and bolster judicial capacity building and environmental rule of law in these regions. The WCEL now reflects more equally distributed global membership, although there are still areas that need greater representation. WCEL's membership body continues to grow as the Commission gains visibility through its work, members, partners, events and initiatives around the world.



WCEL Membership Distribution by Statutory Region (October 2015)

Meetings and Events

Listed below are a number of the major events and meetings that the WCEL was involved in during 2015 as an organizer, partner or participant:

- 1st IUCN Academy of Environmental Law and Asian Development Bank Training the Teachers and Trainers in Manila. Both IUCN Academy and WCEL members participated in this training (February 2015).
- International Conference on Global Environmental Issues in New Delhi, India (March 2015)
- The 1st World Environmental Law Congress International Planning Meeting in Rio de Janeiro. This marked the initial meeting of partners from IUCN and the partner institutions assisting with the Congress (March 2015).
- First Inter-American Congress on the Environmental Rule of Law in Montego Bay, Jamaica, organized by the OAS, the Caribbean Court of Justice (CCJ), UNEP, and WCEL (March 2015)
- IUCN Academy Training the Teachers and Trainers in Manila, involving IUCN Academy and WCEL members (May 2015)
- High-Level Event on Environmental Rule of Law and Sustainable Development with Members of the International Advisory Council for Environmental Justice of UNEP, New York (May 2015)
- WCEL Steering Committee Meeting at IUCN Headquarters in Gland (May 2015)
- IUCN Council Meeting at IUCN Headquarters in Gland (May 2015)
- IUCN ROWA Regional Conservation Forum, by video (November 2015)
- Protected Areas Law Workshop for Teachers and Trainers at the Research Institute of Environmental Law, Wuhan University, involving WCEL, ELC and IUCN Academy (November 2015)
- WCEL's participation in several COP21 side-events, including: a side event titled "Human Rights and Climate Change" with the organization by and participation of several WCEL members; a side-event on "Climate Law and Governance: Practices and Prospects for Climate Justice"; a side-event titled "Environmental Migration in the World"; the COP21 "Oceans Day" and "Global Landscapes Forum"; and an International Symposium on Ethics, Science and Law in which the WCEL Chair was a Speaker, and several other events that WCEL members participated in individually.
- WCEL Chair and Deputy Chair participation in the ASEAN Chief Justices Roundtable in Phnom Penh, Cambodia (December 2015).

Outreach in Africa and Asia

The Commission has continued to build on its efforts to support judicial capacity building and training and reinforce environmental law particularly through outreach initiatives and participation in workshops and events in Africa and Asia. The WCEL Chair, Justice Antonio Benjamin, has made it a priority to engage the judiciary and environmental law specialists in several countries in Africa and Asia, and this has also been carried out through the Commission's collaboration with partners like UNEP and the Asian Development Bank. Several workshops and training programs were held in Asia last year, to be specific, two Training the Teachers and Trainers workshops in Manila, and the inaugural Protected Areas Law Capacity Development Workshop in Wuhan, China, among other events.

Communications, Engagement and Identity

Recognizing the membership growth and important events and commitments in 2015 and 2016, the Commission created a new identity that better integrates and represents its work and values. The Commission adopted the 2016 World Environmental Law Congress logo, developed by the Getulio Vargas Foundation in Brazil, as its new identity:

Representing the natural (water, earth, air, fauna, flora, and climate) and human (indigenous and traditional peoples as historical guardians of Nature) elements of sustainability, the new logo symbolizes Justice through the scale that incorporates and balances these values.

Further to the Commission's communication efforts, the last year also marked significant growth in the Commission's social media networking and engagement with members and the wider environmental law, IUCN, and NGO communities online. Since January 2015, the Commission has gained close to 700 people in its Facebook community and nearly 400 in its Twitter following. These outlets are critical for sharing information and connecting with people, both members and non-members, to promote and strengthen the work of the ELP, IUCN, and environmental law, governance and conservation.

Global Judicial Institute for the Environment (GJIE)

Since the appointment of WCEL's standing Chair in 2012, Justice Antonio Benjamin, judicial capacity building in the area of environmental law and adjudication has remained a priority for the Commission, which the GJIE will embody both as a platform and initiative to continue growing and working on. Building on important work from 2014, WCEL presented an Action Plan and received IUCN's endorsement¹ for the creation of the Global Judicial Institute for the Environment at the May 2015 IUCN Council Meeting in Gland, Switzerland. The launch and first meeting of the GJIE will take place at the World Environmental Law Congress in April 2016.

Preparation for Major Events in 2016

World Environmental Law Congress: preparation and planning for the 2016 World Environmental Law Congress was one of the Commission's main focuses in 2015, being the largest and most important conference organized by WCEL to date. The Congress will take place in the Supreme Court of Rio de Janeiro from 27 - 29 April 2016. For further information: <http://welcongress.org/>.

IUCN World Conservation Congress in Hawai'i: In October 2015, the ELP, its members, and partners all together submitted more than 45 environmental law-related events to be considered for the IUCN 2016 Hawai'i World Conservation Congress (WCC) Call for Contributions. The majority of the proposals were either accepted or joined with other event proposals to take place during the Hawai'i WCC Forum from 1-10 September 2016. For further information: <http://www.iucnworldconservationcongress.org/>.

Specialist Group Reports

WCEL's Specialist Groups (SGs) are essential to the work of the Commission at large. Many of the WCEL's members are also members of one or several SGs that work to promote, develop and implement their areas of environmental law for conservation and sustainable development on the national, regional and international levels.

¹ "Proposal for the establishment of a Global Judicial Institute for the Environment". Agenda Item 5.2.2.9. C/85/31

(i) WCEL-SSC Joint Specialist Group on Access and Benefit Sharing (ABSSG) and Related Issues

As a fairly new Specialist Group (SG), ABSSG has prioritized building an active membership to contribute to the work. Representing several different countries worldwide, there are now more than 30 members, global scientists, lawyers, economists and policy experts, in the group contributing to ABSSG's work. The group's objective is to "provide an international expert forum for the discussion and resolution of some of the complex challenges presented by the ABS concept and its implementation²".

One of the SG's priorities for last year was to gain formal recognition by the International Treaty on Plant Genetic Resources and World Intellectual Property Organization (WIPO), as well as recognition by appropriate Convention on Biological Diversity (CBD) bodies, which in the last year was accomplished with regard to two of those organizations.

The SG has focused on developing a Global Multilateral Benefit-sharing Mechanism under the Nagoya Protocol – a process that has combined inputs and active participation from a number of SG members. On the basis of this document, the ABS group received an offer from the CBD, IUCN and others to nominate one or more of the SG members to the CBD's Global Expert Group dealing with this issue; however lack of funding prevented this from moving forward.

In conjunction with the IUCN Species Survival Committee, ABS has also commenced the development of a Code of Conduct, and with the IUCN Biodiversity Conservation Group, ABS is participating in the development of a new SMTA (a key document under the International Treaty on Plant Genetic Resources for Food and Agriculture) and principles for its use.

Other ABS work included individual publications and presentations by the group members, and the primary publication by the JSG-ABS in this year was the "Submission of views in preparation for the Expert Meeting on the need for and modalities of a Global Multilateral Benefit-sharing Mechanism of the Nagoya Protocol", which was provided to and circulated by the CBD Secretariat.

The JSG-ABS has several projects in the pipeline, including creating an operational online space and tools for materials produced by the group. The SG also hopes to develop ABS guidelines for protected areas and species, in addition to take a detailed analysis of benefit sharing practices to date.

(ii) Specialist Group on Armed Conflict and the Environment

In 2015, the work of the Specialist Group on Armed Conflict and the Environment (SGACE) focused on two themes: (1) legal protection of the environment in times of armed conflict (led by SG Co-Chair Michael Bothe), and (2) the role of natural resources in post-conflict peacebuilding (led by SG Co-Chair Carl Bruch).

1) Legal protection of the environment in times of armed conflict

As far as the part of the SG work relating to the protection during armed conflicts is concerning, the essential activity was to establish contact and cooperation with the UN International Law Commission (ILC) which is dealing with the topic of "protection of the environment in relation to armed conflicts". In 2014 and 2015 the ILC Special Rapporteur, Marie Jacobsson published two

² "Submission of views in preparation for the Expert Meeting on the need for modalities of a Global Multilateral Benefit-sharing Mechanism of the Nagoya Protocol"

reports, the first concerning protection of the environment before armed conflict breaks out and the second dealing with protection during armed conflict. The SG commented on both of these reports, and the results of these reports were also the subjects of a seminar co-sponsored by the SG in New York in October 2015. As a result of these reports, the ILC Drafting Committee provisionally adopted a set of principles, although in relation to some of those there seems to be room for improvement.

The SGACE also co-sponsored a Seminar on the Protection of the Environment in relation to Armed Conflict. Held at the UN Headquarters, this event was co-sponsored with the Permanent Missions to the United Nations of Sweden, Denmark, Finland, Iceland, and Norway, Rutgers University, and the Environmental Law Institute.

2) The role of natural resources in post-conflict peacebuilding

With relation to management of natural resources and the environment after conflict, the most substantial achievement was the completion of a book on Governance, Natural Resources, and Post-Conflict Peacebuilding (edited by Carl Bruch, Carroll Muffett, and Sandra S. Nichols). This is the sixth and final book in a series of six edited volumes published by Routledge/Earthscan. It is more than 1,000 pages in length and comprises more than 40 chapters, including chapters by Cymie Payne and Carl Bruch. The manuscript was submitted to the publisher in December, and publication is anticipated in the first half of 2016.

In 2015, the SG started to reach out to UNEP, universities, and other organizations interested in the broad set of relationships between the environment, conflict, and peace. There appears to be interest and momentum in developing a new conceptual and operational framework around what we are referring to as environmental peacebuilding. Discussions have started about the conceptual framework (how would this overarching framework relate to existing frameworks more narrowly addressing, say, the resource curse?) and about how to develop dedicated institutional mechanisms

Other SG events and outreach in 2015 included:

- Presentation on "Emergence of Environmental Peacebuilding"(International Studies Association Annual Meeting, New Orleans; February 2015).
- Presentation on "From Water Wars to Environmental Peacebuilding: The Changing Role of Water in Conflict and Peace"(World Water Congress, Edinburgh; May 2015).
- Presentation on "Lessons from Environmental Peacebuilding for Humanitarians "Environmental Emergencies Forum, Oslo; June 3, 2015).

(iii) Ethics Specialist Group

The two main current projects of the ESG are Climate Ethics (coordinated by Prue Taylor and Don Brown) and Earth Democracy (coordinated by Klaus Bosselmann, Peter Burdon and Ron Engel), both that involve ongoing research activities, publications and conferences.

In 2015, major SG activities included multiple publications, including the following books: Klaus Bosselmann, *Earth Governance: Trusteeship of the Global Commons* (Edward Elgar, 2015); Klaus Bosselmann, *National Strategies for Sustainability: Options for New Zealand* (New Zealand Centre for Environmental Law, 2015); Prue Taylor and Don Brown (eds.) *Ethics and Climate Change: A Study of National Commitments* (IUCN Environmental Policy and Law Paper No. 86, 2015) and Peter Burdon, *Earth Jurisprudence: Private Property and the Environment* (Routledge, 2015).

Further to this, the ESG organized two events at COP21 in Paris – one side event focused on climate ethics and one off-site event focusing on sustainable governance. Finally, the ESG made progress toward the implementation of 2012 WCC Resolution 004, "Establishment of the Ethics Mechanism".

Individual members of ESG presented papers on global ethics, Earth law and governance and ethics-related issues of climate change, biodiversity and international environmental law at many conferences around the world.

(iv) Specialist Group on Oceans, Coasts and Coral Reefs

The Specialist Group on Oceans, Coasts and Coral Reefs led by Co-Chairs Nilufer Oral and David VanderZwaag had a productive year in 2015. The SG was involved in a range of work and highlights worth mentioning:

- The Specialist Group helped organize a panel of experts on Law of the Sea and Governance of Areas Beyond National Jurisdiction at the Law of the Sea Institute's 50th Anniversary Conference, Berkeley Law, October 9-10, 2015. Co-chairs Nilufer Oral and David VanderZwaag, along with Specialist Group Members Robin Warner and Kristina Gjerde, presented papers relating to global and regional challenges in addressing governance of marine biodiversity on the high seas. Papers will be published in an upcoming book volume co-edited by Nilufer and Harry Scheiber.
- The Co-chairs collaborated with the WCEL chair in developing a panel program on Biodiversity and Marine Ecosystems for the World Environmental Law Congress in April 2016.
- The Specialist Group submitted a successful workshop proposal in collaboration with various IUCN units, "Governance of Marine Biodiversity in Areas beyond National Jurisdiction: Progressions and Challenges" for the IUCN World Conservation Congress in Hawaii, September 2016..
- Specialist Group member, Professor Rosemary Rayfuse, published an edited volume, Research Handbook on International Marine Environmental Law (Cheltenham, U.K., Edward Elgar, 2015), which included chapters written by the co-chairs and other SG members including Nengye Liu, Julian Rochette, Tim Stephens, Hui Dang Vu and Robin Warner.
- Specialist Group participated in the high seas (BBNJ) workshop held at the ELC in Bonn. The workshop produced a matrix to be used by governments negotiating the new implementing agreement to the 1982 United Nations Convention on the Law of the Sea.
- Specialist Group participated in the BBNJ workshop (IUCN and co-organized by the Governments of Mexico and New Zealand) held in Tarrytown, New York (6-8 November 2015) for the preparations of the new implementing agreement to the 1982 United Nations Convention on the Law of the Sea.

Aside from events and projects in which the Oceans SG was involved, Co-Chairs and members also published a number of publications.

(v) Specialist Group on Sustainable Use of Soil and Desertification

First and foremost, objective of this Specialist Group is to contribute to and implement their work based on the parameters of the first "Soil" Resolution of the IUCN World Conservation Congress, Amman Jordan 2000, which requests the IUCN Environmental Law Programme – "in its development of legal guidelines and explanatory material, and investigation into a global legal instrument for the sustainable use of soils, to pay particular attention to the ecological needs of soil and their ecological

functions for the conservation of biodiversity and the maintenance of human life³”.

The work of the specialist group is critical to several of IUCN’s Core and Thematic Program Areas, including “Conserving Biodiversity”, through policies and governance that are concerned with the achievement of biodiversity in nature; “Changing the climate forecast”, in particular through the SG’s work in assisting various countries with natural resource management policies and strategies to adapt to the impacts of climate change; and finally “Managing Ecosystems for Human Well-being”, by contributing to sustainable environmental management to reduce vulnerability to natural hazards and reduce conflicts.

Throughout 2015 the specialist group was active in investigating and discussing various options for an international instrument for soil and discussing the legal aspects of land degradation neutrality (LDN)⁴ with UNCCD Secretariat, international environmental law groups and soil science groups.

In addition to preparing and contributing to a number of publications, the specialist group members were representative at several of global events during 2015 and were involved in several important projects including:

- Global Soil Week in April 2015 in Berlin (Dialogue Session on “Global Soil Policy” discussed the current situation at the global level on soil legislation and policy);⁵
- Joint IUCN-UNCCD Action Plan meeting Gland⁶;
- Contribution to IUCN Technical Brief on Land Degradation Neutrality (with IUCN Dryland Initiative);
- Prepared chapter on Pastoral Land Law for UNFAO Technical Guide to Governance of Pastoral Land⁷ (compiled by IUCN Dryland Initiative);
- Prepared reports on spatial planning for various countries for IUCN Environmental Law Centre Project (IUCN ELC Legal Consultancy) Integrated Spatial Planning Project;
- Contributions to 2016 International Yearbook on Soil Law and Policy (International Soil Law Experts Group);
- Prepared a workshop proposal for 2016 IUCN WCC Hawaii – “Developing a Global Soil Regime”;
- Contribution to the land degradation and restoration assessment of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) (chapter 2 "concepts and perceptions")

During 2015 the specialist group also contributed to national environmental law reform in Mongolia, including the implementation of the Soil Protection and Prevention of Desertification Law, and drafting the Mongolian Pastureland Law.

Active at the national and international levels, and as global interest continues to grow in the

³ IUCN World Conservation Congress (WCC) has passed three “Soil Resolutions”: Amman Jordan 2000; Bangkok Thailand 2004; and Barcelona Spain 2008. These Resolutions have given the imprimatur of the IUCN to investigate international and national legislative aspects of sustainable use of soils, and calls upon members of the Union to support this work.

⁴ Concept of LDN was first introduced at Rio+20 by UNCCD and has since been discussed at Global Soil Week and UNCCD COP12.

⁵ <http://globalsoilweek.org/global-soil-week/gsw-2015>; Soil SG represented by Dr. Irene Heuser, Dr. Harald Ginsky, and Dr. Elizabeth Dooley

⁶ Soil SG represented by Dr. Irene Heuser

⁷ The Technical Guide will be part of the implementation process of the UNFAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, Rome 2012.

investigation of an international instrument for soil and the legal aspects of the concept of land degradation neutrality, the specialist group continues to develop initiatives in national soil legislation and policy reform.

Moreover, the specialist group is a member of the IUCN Core Group advising the IUCN Dryland Initiative Programme, which is ongoing.

(vi) **Early Career Group**

The WCEL ECG is a cross-cutting platform for early career environmental lawyers, policy makers and scholars.

The ECG seeks to confront the reality and challenges that environmental law faces, including the “anticipation of future legal requirements in the context of global environmental change” and “meaningful incorporation of socio-ecological knowledge into decision-making and addressing issues that span jurisdictional boundaries from the global to the local⁸”. As such, the ECG aims to respond to the emerging need for policy and law that is integrated, adaptive and forward-looking in the design, implementation and enforcement of the law.

In addition to building up membership, in the past year, the ECG has inaugurated several exciting projects, including:

ECG Webinar Series

The ECG inaugurated a series of webinars providing a platform for members to present on and discuss diverse emerging environmental law concerns and innovative solutions. The ECG Webinar Series aims to bring together perspectives from across sectors and generations. It will also provide a set of interdisciplinary methods and tools to affect this change.

Future of Environmental Law

The ECG’s Future of Environmental Law publication will consist of a series of essays from ECG members, articulating an agenda for change in environmental law scholarship as well as directions for institutional and legislative reform.

Future of Environmental Law is also the name of the ECG’s new website, which can be found here: <https://nextgenenvironmentallaw.wordpress.com/>

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⁸ IUCN World Commission on Environmental Law Early Career Group website: Future of Environmental Law - <https://nextgenenvironmentallaw.wordpress.com/2015/06/18/hello-world/>

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