



Convention on  
Biological Diversity



## BIODIVERSITY LAW & GOVERNANCE DAY 2018

**14th Conference of the Parties to the CBD**  
**8:30-17:00 Friday, 23 November 2018**  
**Sharm El-Sheikh, Egypt**

On the 23<sup>rd</sup> of November 2018 at COP14 of the Convention on Biological Diversity (CBD) in Sharm El-Sheikh, Parties and Observers to the CBD and other biodiversity accords convene experts, practitioners, scholars and stakeholders from law, governance and other fields, in order to scale up efforts to address the main drivers of biodiversity loss, implement the Strategic Plan 2011-2020 and the global Sustainable Development Goals (SDGs) through legal and institutional measures.

The **2018 Biodiversity Law & Governance Day** seeks to facilitate dialogue, engagement and action between Parties, Observers and stakeholders, including a growing global biodiversity law and governance community of practice. The Centre for International Sustainable Development Law (CISDL) and the Convention on Biological Diversity Secretariat (SCBD), together with the United Nations Development Programme (UNDP), United Nations Environment Programme (UN-Environment), International Union for the Conservation of Nature World Commission for Environmental Law (IUCN-WCEL), International Development Law Organization (IDLO) and other partners are honoured to bring Parties, UN bodies and agencies, intergovernmental organizations, academia, private sector actors and civil society together, building upon the success of the inaugural 2016 Biodiversity Law and Governance Day (BLGD) held in Cancun alongside CBD CoP13. The gathering serves to track trends, sharing knowledge and practical experiences, and build capacity for collaborative efforts on mainstreaming biodiversity in energy and mining, infrastructure, manufacturing and processing, and health; implementing the Strategic Plan 2011-2020 and Aichi Biodiversity Targets; strengthening the effectiveness of the Nagoya Protocol; and enhancing synergies between biodiversity treaties and international organizations.

### **Themes of Biodiversity Law & Governance Day 2018:**

- **Mainstreaming biodiversity in the sectors of energy and mining, infrastructure, manufacturing and processing, and health:**  
How can law and governance mechanisms assist in mainstreaming of biodiversity in the sectors of energy and mining, infrastructure, manufacturing and processing, and health? What is the role of environmental impact assessment and strategic environmental assessment?

- **Implementing the Strategic Plan 2011-2020 and Aichi Biodiversity Targets:**

COP 15 in 2020 is expected to consider for adoption the post-2020 global biodiversity framework in the context of the 2050 Vision of the current Strategic Plan, and the 2030 Agenda for Sustainable Development and other relevant international processes. What can be learned from law and governance approaches that have been adopted to implement the current Strategic Plan? What should the role of law and governance be in the post-2020 framework?

- **Strengthening the effectiveness of the Nagoya Protocol:**

The Nagoya Protocol has been in force for nearly four years, and the Parties will undertake the first assessment and review of its effectiveness at COP-MOP 3. What lessons can be learned from national and regional implementation efforts? What will the impacts be of emerging technologies on the effectiveness of the Protocol?

- **Enhancing synergies between biodiversity treaties and international organizations:**

Many international treaties and processes are relevant to biodiversity and ecosystems. How can Parties to the CBD and international organizations improve cooperation so as to enhance synergies and address intersections between organizations and regimes and biodiversity? What law and governance mechanisms can be used to improve coordination and cohesion?

Offering over a full day of dialogue, keynotes, and parallel roundtable/panel sessions, BLGD 2018 stimulates knowledge exchange, builds synergies for capacity building and research collaborations, and inspires cross-pollination between different fields of law, policy and jurisdictions to encourage innovation in legal and institutional tools for mainstreaming biodiversity.

In addition, in BLGD 2018, Parties, Observers and other stakeholders and supporters from the global biodiversity law and governance community of practice:

- Profile and share innovative international, national, and local biodiversity law and governance mechanisms, challenges and best practices;
- Catalyse knowledge exchange between delegates, legal practitioners and the legal academic community to co-generate new law and governance knowledge and approaches; and
- Facilitate collaboration within the law and governance community to support capacity development for implementing the CBD, the Strategic Plan on Biodiversity 2011-2020, and SDGs 14 and 15.

To join the Programme Committee, become a partner or sponsor, propose a session or recommend a speaker, contact David Caughey at [blgd@cisdl.org](mailto:blgd@cisdl.org)

To learn more or register, follow this link:

<https://www.eventbrite.ca/e/biodiversity-law-and-governance-day-2018-tickets-47452978135>



## BIODIVERSITY LAW & GOVERNANCE DAY 2018

14<sup>th</sup> Conference of the Parties to the CBD  
Friday, 23 November 2018 / Sharm El-Sheikh, Egypt

*Sharm El Sheikh International Congress Center (SHICC),  
Building 2, El Wadi (Contact Group 6)*

### Biodiversity Law & Governance Day 2018 Key Themes:

1. *Mainstreaming biodiversity in energy and mining, infrastructure, manufacturing and processing, and health;*
2. *Implementing the Strategic Plan 2011-2020 and Aichi Biodiversity Targets;*
3. *Strengthening the effectiveness of the Nagoya Protocol; and*
4. *Enhancing synergies between biodiversity treaties and international organizations*

### Biodiversity Law & Governance Day 2018 Programme Outline

08:30 – 09:00 **Registration**

09:00 – 09:30 **Plenary: Welcome & Opening** (El Wadi/CG6)

*Master of Ceremonies:* Mr. David Caughey (Biodiversity Programme Coordinator, CISDL)

*Words of Welcome:* Dr. Cristiana Pasca Palmer / David Cooper (Executive Secretary/Senior Officer, CBD)\*

*Chairs:* Prof. Marie-Claire Cordonier Segger (Senior Director, CISDL / Professor, uWaterloo / Senior Fellow, uCambridge) & Prof. Jorge Cabrera (Lead Counsel, CISDL / Professor, uCosta Rica)

*Partners:* Dr. Claudia Ituarte (Adviser, Swedbio/Researcher, Stockholm Resilience Centre (SRC)); Mr. Gaute Voigt-Hanssen (CBD Head of Delegation & Senior Advisor, Norwegian Ministry of Climate and Environment); Dr. Kishan Khoday (Regional Team Leader for Climate Change, DRR, Energy & Environment, UNDP); Prof. Patrícia Faga Iglecias Lemos (Professor and Head of Environmental Affairs, University of São Paulo).

9:30 – 10:30 **Plenary: Legal Aspects of Implementing Biodiversity Accords for the Sustainable Development Goals (SDGs)** (El Wadi/CG6)

*How do international treaties on biodiversity contribute to achieving the global SDGs? How can legal and institutional reform support implementation of these accords? What are the key trends, challenges and most promising innovations?*

*Chairs:* Prof. Marie-Claire Cordonier Segger (Senior Director, CISDL / Professor, uWaterloo / Senior Fellow, uCambridge) & Dr. Balakrishna Pisupati (Chairperson, FLEDGE)

*Legal Experts:* Prof. Jorge Cabrera (Lead Counsel, CISDL / Professor, uCosta Rica); Prof. Robert Kibugi (Senior Legal Fellow, CISDL / Professor, uNairobi); Mr. Frederic Perron-Welch (Legal Research Fellow, CISDL & Researcher, uLeiden); Dr. Kishan Khoday (Regional Team Leader for Climate Change, DRR, Energy & Environment, UNDP).

10:30 - 10:45    **Health & Networking Break**

10:45 – 11:45    **Concurrent Workshops/Roundtable Sessions 1** (El Wadi/CG6 & Dahab/CG3)

**Session 1A: Traditional Knowledge Legal Innovations for Nagoya Protocol Implementation** (El Wadi/CG6)

*What are the challenges facing the recognition of traditional knowledge, protection of biodiversity and implementation of the Nagoya Protocol? What legal and institutional innovations have Norway, Brazil & EU adopted in order to address these challenges? What has been the experience with new laws and mechanisms to date?*

*Hosted by:* Norwegian Ministry of Climate and Environment

*Chairs:* Mr. Gaute Voigt-Hanssen (CBD Head of Delegation & Senior Advisor, Norwegian Ministry of Climate and Environment)

*Presenters & Discussants:* Dr. Henry de Novion (Senior Officer, Ministry of the Environment, Brasil)\*/Dr. Maira Smith (National General Coordinator for Regulatory Affairs on ABS, Brasil); Ms Linda Lund, Senior Advisor, Ministry of Climate & Environment, Norway); Dr. Sten Olav Heahhta (Sami Parliament, Norway); Ms. Alicja Kozłowska (Policy Officer, EU Focal Point for Nagoya Protocol).

**Session 1B: Public Participation & Access to Justice in Sustainable Use of Biodiversity – From Aarhus to Escazu** (Dahab/CG3)

*How have the contours of public participation and access to justice in the biodiversity context changed from Aarhus onward? What does Escazu mean for the region and for the larger ways in which the international community conceives of public participation and access to justice in the biodiversity context? What methods of global governance and implementation systems have been effective in crafting the growth and parameters of public participation and access to justice in the biodiversity context?*

*Hosted By:* International Law Association (ILA) Colombia; Lauterpacht Centre for International Law (LCIL) of uCambridge; Grotius Centre at uLeiden; Law Faculty at uCostaRica & Centro de derecho ambiental (CDA), uChile

*Chairs:* Dr. Markus Gehring (Lead Counsel, CISDL / Lecturer, uCambridge);

*Presenters & Discussants:* Dr. Alexandra Harrington (Lead Counsel, CISDL / Fulbright Fellow, Balsillie School of International Affairs BSIA, OL), Mr. Frederic Perron-Welch (Legal Research Fellow, CISDL & Researcher, uLeiden); M. Erick Kassongo (Executive Director, Congolese Centre for Sustainable Development Law (CODED), DRC / Legal Research Fellow, CISDL OL); M. Mohamed Hafijul Khan (Adj Lecturer, uNorth-South, Bangladesh / Legal Research Fellow, CISDL OL); Ms. Mery Ciacchi (Policy Officer, EU Focal Point for Nagoya Protocol).

11:50 – 12:50    **Concurrent Workshops/Roundtable Sessions 2** (El Wadi/CG6 & Dahab/CG3)

**Session 2A: Mainstreaming Biodiversity in Mining and linked Sectors for SDGs** (El Wadi/CG6)

*What governance mechanisms facilitate better mainstreaming of biodiversity and linked community concerns into the design, financing, and implementation of mining policies and across the mining cycle? How can procedural rights be used to safe-guard both environmental and substantive human rights? What diagnostics and participatory consultation and monitoring tools can be used to advance mainstreaming?*

*Hosted by:* United Nations Development Programme (UNDP) and Swedish EPA

*Chair:* Dr. Tim Scott (Senior Policy Advisor, UNDP)

*Presenters & Discussants:* Mr. Kiruben Naicker (Science Policy Interface Director, Biodiversity & Conservation, Department of Environmental Affairs, South Africa); Dr. Claudia Ituarte (Adviser, Swedbio/Researcher, SRC); Mr. Kabaka Watai (MEAs Director, Ministry of Tourism & Wildlife, Kenya); Ms. Rahima Njaidi (Executive Director, MJUMITA Community Forest Conservation Network, Tanzania).

**Session 2B: Biodiversity Conservation for Achieving the Sustainable Development Goals** (Dahab/CG3)

*What are the key lessons from biodiversity governance for the implementation of the SDGs overall? What SDGs are most impacted by/ that potentially impact biodiversity governance? How can we define the fundamental relationship between biodiversity governance and achievement of the SDGs?*

*Hosted by:* University of São Paulo

*Chairs:* Prof. Patrícia Faga Iglecias Lemos (Professor and Head of Environmental Affairs, University of São Paulo)

*Presenters & Discussants:* Dr. Jéssica de Carvalho Hipólito (Lawyer, São Paulo State Forest Foundation); Prof. Christiano Jorge Santos (Public Prosecutor / Professor, PUC São Paulo); Dr. Rodrigo Levkovicz (General Director,

São Paulo State Forest Foundation); Dr. Frineia Rezende (Executive Manager, Votorantim Protected Areas); Ms. Caroline Marques Jorge Santos (PhD Student, University of São Paulo).

12:50 – 13:35 **Luncheon** (El Wadi/CG6)

Launch of [“Co-chairs’ Summary Report of the Peer-to-peer Dialogue on the human right to a healthy environment and SDGs: weaving SDG 16 and human rights law with the post-2020 global biodiversity framework”](#)

13:40 – 14:40 **Concurrent Workshops/Roundtable Sessions 3** (El Wadi/CG6 & Dahab/CG3)

**Session 3A: Human Right to a Healthy Environment & the SDGs - Weaving SDG16 & Human Rights into the post-2020 global biodiversity framework** (El Wadi/CG6)

*How are the global recognition of the human rights to a healthy and sustainable environment and SDG 16 connected? How can human rights be integrated in the post-2020 global biodiversity framework? How can an enabling environment for environmental human rights defenders to exercise their rights be enhanced?*

*Hosted by:* Swedbio/Stockholm Resilience Centre (SRC), University of Nairobi, International Development Law Organization (IDLO), Office of the United Nations High Commissioner for Human Rights (OHCHR) – Special Procedures, UN Environment and Natural Justice

*Chairs:* Prof. Robert Kibugi (Senior Legal Fellow, CISDL / Professor, uNairobi) and Dr. Claudia Ituarte (Adviser, Swedbio/Researcher, SRC)

*Presenters & Discussants:* Mr. Andreas Obrecht (Law Division, UN-Environment), Ms. Louisa Falcao (Member of Brazilian Chapter, Global Youth Biodiversity Network), Mr. Tim Scott (Senior Policy Advisor, UNDP), Mr. Gadir Lavadenz (Coordinator CBD Alliance)\*

**Session 3B: Middle Eastern Experiences - Advancing Biodiversity Law and Governance** (Dahab/CG3)

*What are key lessons in biodiversity law and governance that have emerged from the Middle East region? How have the challenges and needs of the Middle East been incorporated into larger constructs of international biodiversity governance? What are the key lessons from the Middle East region for the implementation and achievement of biodiversity-related aspects of the SDGs?*

*Hosted By:* Al-Khataibeh Center for International Arbitration & Training, Association of Environmental Law Lecturers in Middle East Universities (ASSELLMU) & Gulf Research Centre

*Chairs:* Prof. Mohamed Abdelraouf (Sustainability Programme Manager, Gulf Research Centre)

*Presenters & Discussants:* Dr. Omar Al Khataibeh (Executive Director, Al-Khataibeh Center); Mr. Mohamed Ali Ben Temessek (Senior Officer, Ministry of Environment & Sustainable Development, Tunisia);\* Mr. Laroui Mustapha (Director of Ecology & Natural Ecosystems, Ministry of Environment & Sustainable Development, Tunisia);\* Dr. Nihaya Khalaf (Lecturer, uKirkuk / Visiting Scholar, uSheffield, OL); Prof. Damilola S. Olawuyi (Professor, HBKU / Senior Legal Fellow, CISDL/uOxford, OL); Mr. Moustafa Madbouhi / Mr. Larbi Sbai (Senior Officers, Ministry of Fisheries, Morocco);\* Ms. Hiba Obaid Al-Shehhi (Senior Officer, Ministry of Climate Change & Environment, United Arab Emirates).\*

14:45 – 15:15 **Health & Networking Break** (El Wadi/CG6)

15:15 – 16:15 **Concurrent Workshops/Roundtable Sessions 4**

**Session 4A: The Swedish Experience and Beyond - Using Law & Governance in Mainstreaming Biodiversity for Positive Socio-Ecological Outcomes** (El Wadi/CG6)

*How to secure species protection within the Swedish environmental permit process? What are the outcomes of using Reindeer Husbandry Plans in environmental permitting? How to weave the CBD guidelines, safeguards and human rights?*

*Hosted by:* Swedish EPA, Swedbio/Stockholm Resilience Centre (SRC), Sami Parliament

*Chair:* Mr. Johan Abenius (Senior Advisor, Swedish Environmental Protection Agency)

*Presenters & Discussants:* Mr. Olof Ekström (Senior Officer, Swedish Environmental Protection Agency); Ms. Matilda Månsson (Legal Advisor, Sami Parliament in Sweden) & Mr. Per-Olof Nutti (President, Sami Parliament in Sweden); Dr. Claudia Ituarte (Adviser SwedBio/Researcher, SRC) & Ms. Niak Sian Koh (PhD Student, SRC).

## Session 4B: Advancing the SDGs and the Aichi Targets through Indigenous Treaties & ABS Agreements (Dahab/CG3)

*How can international, regional and national indigenous treaties forward the SDGs and the Aichi Targets in order to build more inclusive mechanisms? How can indigenous communities use indigenous treaties to assist countries with the implementation and achievement of the SDGs, particularly SDG 15, and the Aichi Targets? What are best practices and institutional designs for ensuring that biodiversity governance mechanisms include the perspectives and needs of indigenous communities?*

*Hosted by:* School of Environment, Enterprise and Development (SEED), uWaterloo; International Inter-Tribal Trade and Investment Organization IITIO; Centre for Energy, Environment and Natural Resources Governance (CEENRG) at uCambridge; Sociedad Peruana de Derecho Ambiental (SPDA)

*Chairs:* Prof. Marie-Claire Cordonier Segger (Senior Director, CISDL) & Prof. Robert Kibugi (Senior Legal Fellow, CISDL / Lecturer, University of Nairobi)

*Presenters & Discussants:* Dr. Alexandra Harrington (Fulbright Fellow, BSIA / Lead Counsel, CISDL); Ms. Tara Dawn Atleo (PhD Candidate, University of Waterloo / CEO, Ahousaht Economic Development Corporation); Dr. Manuel Ruiz (Director, SPDA); Prof. Joe Vogel (Professor, uPuerto Rico); Prof. Padmavati Manchikanti (Dean, Rajiv Gandhi School of IP Law, IIT Kharagpur); Ms. Aysegul Sirakaya (PhD Researcher, uGhent / Legal Advisor, ABS-int).

## 17:15 – 18:00 Closing Plenary with Thanks & Acknowledgements (El Wadi/CG6)

*What were the key insights of each session during BLGD 2018, from the Chairs or Rapporteurs perspectives? What are the most important lessons learned, what new collaborative ventures should be prioritized, and how to advance the agenda for CBD implementation on the ground?*

*Chairs:* Prof. Jorge Cabrera (Lead Counsel, CISDL / Professor, uCosta Rica) & Dr. Elizabeth Mrema / Mr. Andreas Obrecht (Law Division, UN-Environment\*)

*Special Presentation:* Dr. Kent Nnadozie (Secretary of Governing Body, International Treaty on Plant Genetic Resources for Food & Agriculture / UN FAO, OL)\*

*Chairs/ rapporteurs from each session shall present findings to the plenary before closing.*

*Deepest thanks & acknowledgements are due to the partners & advisors from the BLGI Programme Committee*



*Deepest gratitude is also due to the successful session hosts & collaborators for BLGI Session Hosts:*



\* Invited, participation to be determined