

IUCN Commission on Environmental Law (CEL)

Mandate: 2005-2008

1. Mission

To advance sustainability through the development of legal and policy concepts and instruments, and through building the capacity of societies to develop and implement environmental law and policy, in furtherance of the IUCN Mission.

2. Goals

To influence, encourage and assist societies throughout the world toward attaining conditions where:

- a) International and national laws, policies and institutions have evolved through the development of ethical and legal concepts, instruments and synergies to advance sustainable development.
- b) In every country, governments and stakeholders have the capacity to actively participate in the international policy debate, to implement what is agreed through coordinated policies, laws and institutions that respect the rule of law, and to ensure effective compliance and enforcement.
- c) In every country, governments and stakeholders have ready access to knowledge and information on laws and policies relating to sustainable development, including the conservation of nature and natural resources.

3. Objectives

CEL undertakes its Mission primarily through engaging its legal and policy expertise to:

- a) Engage members and partners to create robust knowledge networks.
- b) Advise governments and stakeholders at all levels on how to establish and employ law and policy to ensure that any use of natural resources is equitable and ecologically sustainable.
- c) Innovate and promote new or reformed ethical and legal concepts and instruments that conserve nature and natural resources and reform patterns of unsustainable development.
- d) Build the capacity in all regions to encourage, establish, implement and enforce environmental law effectively.
- e) Provide education, information and knowledge on law and policy necessary to effectively achieve its Goals.

4. Priorities

CEL implements its Objectives through programme priorities, each of which will be addressed by the CEL membership, its network of collaborating centres of environmental law and partners, the IUCN Academy of Environmental Law and the staff of the IUCN Environmental Law Centre (ELC) in an integrated way:

- a) *Strengthen Specialist Groups* – Strengthen the use of Specialist Groups to advance and implement the IUCN Programme with a particular emphasis on priority thematic areas including biodiversity loss, climate change and energy, coastal and marine, desertification and natural resource management, ecosystem protection, protected areas, soil degradation, freshwater and wetlands, and priority cross cutting themes such as indigenous peoples issues.
- b) *Recognize collaborating centres of environmental law* – Continue to recognize and support collaborating centres of environmental law and to collaborate with these centres and other partners in delivering the IUCN Programme, as appropriate.

- c) *Support the IUCN Academy of Environmental Law* – Support and promote the IUCN Academy as the world’s leading network of academic institutions and individuals in support of the IUCN Mission and Programme.
- d) *Provide technical assistance* – Collaborate with all components of IUCN and its partners to develop national or local legislation and policy in support of the IUCN Mission and Programme and means for its implementation.
- e) *Promote ‘good governance’ and the rule of law* – Work with governments, UN institutions and other stakeholders to encourage and promote ‘good governance’ and institutions to respect the rule of law, including through making best use of IUCN’s UN observer status.
- f) *Support the Judiciary* - Work with the judiciary and relevant institutions, both international and national, to support its capacity to enforce and develop the rule of law and engage in environmental dispute settlement, in co-operation with others.
- g) *Promote synergies among MEAs* – Work with the secretariats of priority multilateral environmental agreements, governments and stakeholders, and with other conventions, agreements and processes to identify and promote synergies amongst conventions and the IUCN Mission and Programme.
- h) *Strengthen legal foundations of conventions* - Work with IUCN Commissions and Specialist Groups in strengthening the implementation, compliance and enforcement of priority conventions including the World Commission on Protected Areas (the World Heritage Convention), and the Species Survival Commission, (Convention on International Trade in Endangered Species) etc.
- i) *Promote and enhance International legal instruments* - Advance the IUCN Draft Covenant on Environment and Development, in coordination with the Earth Charter, further promote the Aarhus Convention, the African Convention and the Alpine Convention and provide expertise to develop or enhance new instruments such as those on environmental impact assessment, prior informed consent, persistent organic pollutants , etc.

5. Expected Results

CEL will contribute to achieving the Intersessional Results included within the IUCN Environmental Law Programme Component Programme Plan 2005-2008.

6. Structure and Organization

In order to implement these objectives during 2005-2008, CEL will enhance its structure under the CEL Bylaws and IUCN Statutes and Regulations, with the following priorities:

- a) Ensure gender balance and full geographic representation from all regions on the Steering Committee.
- b) Ensure that CEL actively recruits members to provide CEL expertise globally and in all regions on priority thematic areas and cross cutting themes of the IUCN Programme.
- c) Create a network of Specialist Groups to address priority thematic areas and cross cutting themes and to ensure co-ordination with the ELC and other components of IUCN.
- d) Enlist CEL members in a matrix management system with the ELC secretariat to ensure that the priorities are addressed in a way that integrates the full expertise and resources of the ELC and CEL.
- e) Promote regional implementation of the IUCN Programme by entering into agreements with partners, including recognized collaborating centres of environmental law, as appropriate.
- f) Integrate CEL experts in information technology and the Internet with the work of the ELC, including its work on ECOLEX.
- g) Establish a written integrated strategic plan for the IUCN Environmental Law Programme, ensuring effective collaboration between CEL, other Commissions, the ELC and other components of IUCN.
- h) In pursuing its Mandate, liaise closely with other Commissions and integrate its work within the IUCN Programme.