



Convention on  
Biological Diversity



# THE ROLE OF LAW IN MAINSTREAMING BIODIVERSITY AND ACHIEVING THE AICHI BIODIVERSITY TARGETS

## CANCUN BIODIVERSITY LAW AND GOVERNANCE DAY 2016

Saturday, December 10, 2016

During the 13th Conference of the Parties (COP13) to the Convention on Biological Diversity

Rio Conventions Pavilion, CBD COP 13, Cancun, Mexico  
Moon Palace Convention Center, Universal Building, Main Floor

*Special thanks to our world-class academic partners:*



*Thanks to our Mexican host institutions:*



*Very deepest appreciation and acknowledgements to our governmental and international partners:*



*Highest recognition to the world-leading international session hosts and co-hosts:*





Convention on  
Biological Diversity



CISDL  
Centre for International  
Sustainable Development Law

## CANCUN BIODIVERSITY LAW AND GOVERNANCE DAY 2016

### THE ROLE OF LAW IN MAINSTREAMING BIODIVERSITY AND ACHIEVING THE AICHI BIODIVERSITY TARGETS

#### **Programme Outline**

- |               |  |
|---------------|--|
| 8:30 - 9:00   | Registration   |
| 9:00 – 9:30   | Welcome Opening Plenary  |
| 9:30 – 10:30  | Plenary Keynotes   |
| 10:30 – 10:45 | Health & Networking Break  |
| 10:45 – 12:15 | Biodiversity Law Knowledge Café  |
| 12:15 – 13:45 | Luncheon and Launch of the Inaugural Biodiversity Law and Governance Day 2016  |
| 13:45 – 15:15 | Concurrent Participatory Workshops (I)<br>Mainstreaming Biodiversity in European Laws<br>Mainstreaming Biodiversity in Human Rights Law: Why Ecosystems are a Human Rights Issue |
| 15:15 – 15:30 | Health & Networking Break  |
| 15:30 – 17:00 | Concurrent Participatory Workshops (II)<br>Mainstreaming Biodiversity in Mining Governance<br>Mainstreaming Biodiversity in Sub-National Laws                                    |
| 17:00 – 18:00 | Experts Closing Plenary  |
| 18:00 – 18:30 | Closing Ceremony<br>Launch of film - UNESCO Voices of Future Generations Convention on the Rights of the Children and Sustainable Development Goals                              |

# CANCUN BIODIVERSITY LAW AND GOVERNANCE DAY 2016

## THE ROLE OF LAW IN MAINSTREAMING BIODIVERSITY AND ACHIEVING THE AICHI BIODIVERSITY TARGETS

08.30hr - 18.30hr, 10 December 2016, Rio Pavilion  
Moon Palace Golf & Spa Resort, Cancun, Quintana Roo, Mexico 77500

Biodiversity Law and Governance Day 2016 brings together CBD Parties, leaders from academia, practice, expert institutions, the private sector, civil society, indigenous peoples and local communities to learn, engage in dialogue and share effective practices and lessons in activating law and governance innovations to mainstream biodiversity and achieve the Aichi Biodiversity Targets. The symposium raises awareness of law and governance mechanisms relating to mainstreaming biodiversity, and co-generates new law and governance knowledge and approaches. Through stimulating and participatory exchanges on the contributions of law and governance to the mainstreaming of biodiversity for conservation, sustainable use, and fair and equitable benefit-sharing, delegates strengthen capacity and collaboration, building a worldwide law and governance community of practice to implement the Aichi Targets and the CBD Cancun COP13 outcomes.

Biodiversity Law and Governance Day 2016 focuses on sharing experiences on mainstreaming biodiversity into the legislation governing primary economic sectors and legislation for mainstreaming measures which cut across all sectors, such as economic valuation tools and environmental assessments that can help assess impacts on biodiversity and ecosystem services. A special emphasis will be placed on links between the Strategic Plan on Biodiversity 2011-2020 and its Aichi Biodiversity Targets, Agenda 2030 for Sustainable Development, and the Paris Agreement to the Convention on Climate Change (UNFCCC).

**Across Biodiversity Law & Governance Day 2016, expert interventions address four key themes:**

*Biodiversity Coherence:* Best practices and advances in national biodiversity law and policy frameworks to promote the coherence of policies across sectors;

*Biodiversity Reliance:* Mainstreaming policy, legal and institutional practices in the primary economic sectors that rely on biodiversity, such as agriculture, forestry, fisheries and aquaculture, and tourism;

*Biodiversity Impacts:* Mainstreaming policy, legal and institutional practices in other sectors with significant impacts on biodiversity, such as construction, energy, infrastructure, manufacturing, mining, oil and gas, utilities, and transportation;

*Biodiversity Instruments:* Rules governing cross-sectoral measures for public participation, access to information and justice, climate adaptation and mitigation co-benefits, disaster risk management, environmental assessment, sustainable biodiversity trade, investment and finance, integrated land use planning, and poverty reduction strategies for sustainable development.

# CANCUN BIODIVERSITY LAW AND GOVERNANCE DAY

## THE ROLE OF LAW IN MAINSTREAMING BIODIVERSITY AND ACHIEVING THE AICHI BIODIVERSITY TARGETS

08.30hr - 18.30hr, 10 December 2016

Contact Group Rooms 1, 7 & 8 / Rio Pavilion, Moon Palace Golf & Spa Resort, Cancun

### PROGRAMME

8:30            **Registration**

9:00 – 9:30    **Welcome Opening Plenary (CG 1)**

- *Chairs:* Prof. Marie-Claire Cordonier Segger (Senior Director, CISDL / Professor of Law, University of Waterloo) & Ms. Amy Ann Fraenkel, Esq. (Director, Mainstreaming, Cooperation and Outreach Division, Secretariat of the Convention on Biological Diversity)
- *Hosts:* Prof. Gustavo Alanis (Director, Centre for Environmental Law, Universidad Iberoamericana of Mexico); Prof. Jorge Cabrera (Lead Counsel for Biodiversity & Biosafety Law, CISDL / Professor, University of Costa Rica) & Mr. Andrew Rhodes (Director of Institutional Development and Promotion, Natural Protected Areas Commission, Mexico)
- *Partners:* Ms. Mette Lyngsøe Svejgaard (CBD SBSTTA National Focal Point, Swedish Environmental Protection Agency); Ms Maria Schultz (Director of SwedBio at Stockholm Resilience Centre); Mr. Tim Scott (Policy Advisor Environment, UNDP); Mr. Kent Nnadozie (Secretary Ad-Interim, International Treaty on Plant Genetic Resources for Food and Agriculture) & Dr. Balakrishna Pisupati (Head of Programme, Law, UNEP)

9:30 – 10:30    **Plenary Keynotes (CG1)**

*Chairs:* Prof. Jorge Cabrera (Lead Counsel for Biodiversity & Biosafety Law, CISDL / Professor, University of Costa Rica) & Prof. Robert Kibugi (Lead Counsel, CISDL / Lecturer, University of Nairobi)

### **Mainstreaming Biodiversity through Law & Governance**

*Keynote Speaker:* TBC

### **Biodiversity, Human Rights and the Law**

*Keynote Speaker:* Prof. John Knox (Wake Forest University, UN Special Rapporteur on Human Rights and Environment)

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

10:45 – 12:15    **Biodiversity Law Knowledge Café (CG 1)**

*Facilitators:* Mr. Frederic Perron-Welch (CISDL) & Dr. Henrique Mercer (CISDL)

- **Mainstreaming Biodiversity Governance in Aquatic-terrestrial Systems**  
*Hosted by:* University of Waterloo & Cambridge University  
*Presenters:* Prof. Pradeep Nayak (School of Environment, Enterprise and Development, Faculty of Environment, University of Waterloo)\*

- **Identifying Visionary Biodiversity Laws Across Sectors**

*Hosted by:* GLOBE International & World Future Council

*Presenters:* Prof. Jorge Cabrera (CISDL / UCR); Prof. Konstantia Koutouki (CISDL / Université de Montréal) & Mr. Rafael Jiménez-Aybar\* (GLOBE International)

- **Mainstreaming Benefits from Genetic Resources and Traditional Knowledge**

*Hosted by:* ABS Initiative and ITPGRFA

*Presenters:* Dr. Andreas Drews (ABS Initiative) & Mr. Kent Nnadozie (Secretary Ad-Interim, ITPGRFA)

12:15 – 13:45 **Luncheon and Launch of the Inaugural Biodiversity Law and Governance Day (CG 1)**

13:45 – 15:15 **Concurrent Participatory Workshops**

**Mainstreaming Biodiversity in European Laws (CG 7)**

*Hosted by:* Swedish Environmental Protection Agency

- *Chair:* Mr. Stefan Leiner (Head, Biodiversity Unit, European Commission)
- *Speakers:* Ms. Helene Lindahl (Senior Nature Conservation Officer, Swedish EPA); Ms. Ulrika Gunnesby (Lawyer, Swedish EPA); Mr. Gaute Voigt-Hanssen (ABS National Focal Point, Norwegian Ministry of Climate and Environment) & Ms. Els Martens (Flemish Government)

**Mainstreaming Biodiversity in Human Rights Law: Why Ecosystems are a Human Rights Issue (CG 8)**

*Hosted by:* SwedBio Programme and Safeguarding project at Stockholm Resilience Centre

- *Chair:* Dr. Claudia Ituarte-Lima (researcher at Stockholm Resilience Centre (SRC) and advisor to SwedBio)
- *Speakers:* Prof. Robert Kibugi (CISDL/ University of Nairobi); Ms. Maria Schultz (Director of SwedBio at Stockholm Resilience Centre); Mr. Harry Jonas (Lawyer and co-founder of Natural Justice) & Mr. Antoine Libert (Universidad Autonoma Metropolitana, Mexico)
- *Intervenors:* Mr. Tim Scott (Environment Policy Advisor, UNDP); Prof. John Knox (WFU, UN Special rapporteur on human rights and environment); Ms. Maria van Berlekom (Lead Policy Specialist, Environment and Climate Change, Swedish International Development Cooperation Agency - Sida) & Ms. Yolanda Saito (Senior Program Coordinator – Strategic Initiatives, International Development Law Organisation)

15:15 – 15:30 **Health & Networking Break (CG 1)**

15:30 – 17:00 **Concurrent Participatory Workshops**

**Mainstreaming Biodiversity in Mining Governance (CG 7)**

*Hosted by:* UNDP & UNEP-WCMC

- *Chair:* Mr. Tim Scott (Policy Advisor Environment, UNDP)
- *Speaker:* Prof. John Knox (WFU, UN Special Rapporteur on Environment and Human Rights)
- *Intervenors:* Mr. Neville Ash (Director, UNEP WCMC); Dr. Claudia Ituarte-Lima (Researcher at Stockholm Resilience Centre and advisor to SwedBio at SRC); Dr. Dorjsuren Ariuntuya (Senior

Officer, Climate Change and International Cooperation, Ministry of Environment and Tourism, Mongolia); Ms. Alexandra Fischer (Regional Advisor, artisanal gold mining in Suriname and Guyana, UNDP) & Carmen Miranda (ICCA Consortium, Bolivia)

### **Mainstreaming Biodiversity in Sub-National Laws (CG 8)**

*Hosted by:* University of Sao Paulo

- *Chair:* Prof. Patrícia Faga Iglecias Lemos (Professor of Law, Head of Environmental Affairs of the University of São Paulo and former Secretary for the Environment of the State of São Paulo)
- *Speakers:* Mr. Davi Canassa (Sustainability General Manager, Votorantim Industrial) & Ms. Marcia Hirota (Executive Director, SOS Mata Atlantica Foundation)
- *Intervenors:* Prof Luiz Mauro Barbosa (General Director of the Institute of Botany of the State of São Paulo)\*; Prof Ricardo Ribeiro Rodrigues (Professor at the Luiz de Queiroz College of Agriculture of the University of São Paulo)\* & Prof Jean Paul Walter Metzge (Professor at the Bioscience Institute of the University of São Paulo)\*

### **17:00 – 18:00 Experts Closing Plenary (CG 1)\*\***

- *Chairs:* Prof. Marie-Claire Cordonier Segger (CISDL / University of Waterloo) & Dr. Sandra Moguel (CEMDA)
- *Speakers:* Mr. Tim Scott (Policy Advisor Environment, UNDP); Dr. Claudia Ituarte-Lima (Researcher at Stockholm Resilience Centre and advisor to SwedBio at SRC); Mr. Stefan Leiner (Head, Biodiversity Unit, European Commission), Prof. Patrícia Faga Iglecias Lemos (Professor of Law, Head of Environmental Affairs, University of São Paulo / former Environment Secretary, State of São Paulo); Prof. Jorge Cabrera (CISDL/UCR), Mr. Gaute Voigt-Hanssen (ABS National Focal Point, Norwegian Ministry of Climate and Environment) & Mr. Andrew Rhodes (Director of Institutional Development and Promotion, Natural Protected Areas Commission, Mexico)

### **18:00 – 18:30 Closing Ceremony (CG 1)**

- *Chair:* Ms. Amy Ann Fraenkel, Esq. (Director, Mainstreaming, Cooperation, and Outreach Division, Secretariat of the Convention on Biological Diversity)
- *Speakers:* Mr. Kent Nnadozie (Secretary Ad-Interim, ITPGRFA) & Dr. Balakrishna Pisupati (Head of Programme, Law, UNEP)
- *Launch:* Children's Film on the Convention on the Rights of the Child and the Sustainable Development Goals on Biodiversity, Ms. Ruth Hanson, with Miss Allison Lievano-Gomez (LAC), Master Jona Cordonier-Gehring (NA/EU), Miss Lupe Vaai (Pacific) & Miss Ying-Xuan Lai (Asia), UNESCO - Voices of Future Generations Children's Initiative

\* Invited, not yet confirmed

\*\* Subject to last-minute changes in light of the concurrent Convention on Biological Diversity COP13 Conference

# CANCUN BIODIVERSITY LAW AND GOVERNANCE DAY

## THE ROLE OF LAW IN MAINSTREAMING BIODIVERSITY AND ACHIEVING THE AICHI BIODIVERSITY TARGETS

### **Grand Opening - Plenary Keynote (CG 1)**

*Prof. John Knox, UN Special Rapporteur on human rights and the environment*

The Special Rapporteur is currently preparing a thematic report on biodiversity and human rights for the 34th session of the Human Rights Council to clarify human rights obligations relating to biodiversity by exploring the relationship of the two and by assessing the effects of biodiversity on the enjoyment of human rights. He is interested in examining the legal framework, identifying gaps and analysing how human rights obligations in biodiversity policies and programmes are implemented at various levels (e.g., at the national, local and municipal levels) and by different government bodies (e.g., ministries of environment, development, agriculture, mining, etc.) in practice. He is also interested in clarifying heightened obligations of States in protecting individuals and groups who are in a vulnerable situation.

---

### **Mainstreaming Biodiversity in European Laws (CG 7)**

*Hosted by: Swedish EPA*

Mainstreaming Biodiversity in National Laws, with EU Nature Directives as a starting point. Introduction by the European Commission. Presentations of cases and examples from Sweden, Norway and Belgium are made and discussions among participants on best examples of and challenges in national lawmaking and implementation will follow. One question being: What is the most effective tool; mainstreaming biodiversity into the legislation governing different sectors, such as agriculture, forestry, fisheries and tourism, or mainstreaming into legislation that cut across all sectors? The participants are asked to consider this before they attend the workshop. We will end up with some suggestions on what we would like to see in future CBD COP decision facilitating mainstreaming of biodiversity in national laws.

### **Mainstreaming Biodiversity in Human Rights Law: Why Ecosystems are a Human Rights Issue (CG 7)**

*Hosted by: SwedBio Programme and Safeguarding project at Stockholm Resilience Centre*

Ecosystems and human rights are closely intertwined. While ecosystems services such as provision of food and pollination of crops are key for enjoying human rights, exercising human rights is also key for the stewardship of the diversity of forms of life in land and water and of distinct ecosystems. Local communities in rural areas who directly depend on ecosystems are especially vulnerable to biodiversity loss and ecosystem degradation affected by sudden and progressive global environmental changes. This session will focus on mainstreaming biodiversity with a human rights-based approach needs to consider the obligations of respecting, protecting and fulfilling human rights in a context of cross-scale and unexpected socio-ecological interactions

---

### **Mainstreaming Biodiversity in Mining Governance (CG 8)**

*Hosted by:* UNDP & UNEP-WCMC

Growth of extractive industries, and mining in particular, can bring vital resources to finance social and economic development. It is critical, however, to manage the biodiversity and environmental impact of these industries. Effective governance and public policy reforms, as well as strengthened institutional capacities, are needed to ensure that mining does not harm biodiversity or ecosystem services, while helping advance the SDGs. This session will discuss ways to strengthen the environmental, gender, human rights and rule-of-law dimensions of governance across the mining cycle including through offsets, ecosystems services approaches, and procedural rights to information, participation and access to justice in line with Principle 10 of the Rio Declaration.

### **Mainstreaming Biodiversity in Sub-National Laws (CG 8)**

*Hosted by:* University of Sao Paulo

In this session, speakers will present the contributions that scientific institutions have been giving to the design and implementation of public policies that play an important role in fulfilling the Aichi Biodiversity Targets on ecological restoration and wildlife protection in the State of São Paulo. Scholars will discuss the implementation of the Brazilian Forest Code from a scientific perspective as well as the implementation of environmental programs of ecological restoration sponsored by the University of São Paulo and the State government (e.g. the Atlantic Forest in the State of São Paulo).

---

### **Launch of the UNESCO - Voices of Future Generations film on the Convention on the Rights of the Children and Sustainable Development Goals (room: contact group 1)**

Ruth Hanson, UNESCO - Voices of Future Generations Children's Initiative

---

***Deepest thanks and gratitude for guidance and support to the  
Biodiversity Law & Governance Day Programme Committee***

**Members of the Programme Committee & Advisors**

Ms. Amy Ann Fraenkel (SCBD)

Prof. Marie-Claire Cordonier Segger (LCIL University of Cambridge / CISDL / University of Waterloo)

Ms. Mette Lyngsøe Svejgaard (CBD SBSTTA National Focal Point, Swedish Environmental Protection Agency)

Dr. Claudia Ituarte-Lima (SwedBio / Stockholm Resilience Centre)

Prof. Gustavo Alanis (CEMDA/IberoAmericana)

Prof. Jorge Cabrera (University of Costa Rica / CISDL)

**Advisors**

Dr. Andreas Drews (ABS Initiative)

Prof. Pilar Moraga (CDA University of Chile)

Prof. Robert Kibugi (CASELAP University of Nairobi)

Prof. Hoi Kong (McGill/CISDL)

Prof. Royal Gardner (Stetson University)

**Parties**

Ms. Patricia Madrigal & Ms. Natalia Batista (Vice-Minister of the Environment, Government of Costa Rica)

Mr Gaute Voigt-Hanssen (ABS National Focal Point, Ministry of Climate and Environment, Norway)

Mr Basile van Havre (CBD Primary NFP, Canadian Wildlife Service, Canada)

Mr. Andrew Rhodes (Director of Institutional Development and Promotion, Natural Protected Areas Commission, Mexico)

Mr. Parkinson Ndonge (CBD National Focal Point, Ministry of Environment of Kenya)\*

Ms. Tashi Yangzome Dorji (National Biodiversity Centre, Ministry of Agriculture and Forests, Bhutan)\*

**Biodiversity Law and Governance Initiative Project Coordinators**

Mr. Frederic Perron-Welch (Biodiversity Programme Manager, CISDL)

Dr. Henrique Mercer (Associate Fellow, CISDL)