



CEL STEERING COMMITTEE MEETING
APRIL 29 – MAY 4 2009
PORTO DE GALINHAS, STATE OF PERNAMBUCO, BRAZIL
Minutes of the Meeting

DAY ONE- April 29th, 2009

1. Call to Order – Note Quorum

The Chair of the Commission on Environmental Law (CEL), Ms. Sheila Abed, called the meeting to order at 10:20 AM on April 29th, 2009.

The following members of the Steering Committee sent their regrets for being unable to attend the meeting today:

- *Dr. Smrithi Talwar*
- *Mr. Antonio Benjamin*

A full list of persons present at the meeting is attached.

The CEL Chair then declared the presence of a quorum.

2. Opening of the Meeting and Welcome to Steering Committee Members by Sheila Abed, Chair of CEL

The Chair welcomed the members of the Steering Committee, and delivered her opening remarks. She thanked the present members for attending the meeting. She highlighted the fact that this new Steering Committee is highly multicultural and that all of the new members were carefully selected given their credentials and their contributions to Environmental Law in their countries and regions. She also thanked our Brazilian colleagues from the Brazilian Association of Environmental Public Prosecutors (Associação Brasileira do Ministério Público de Meio Ambiente—ABRAMPA) for hosting the meeting at Porto de Galinhas, Brazil. She emphasized that this type of collaboration enables CEL to save precious financial resources and use them in other activities of the IUCN Environmental Law Programme, such as the Specialist Groups and new initiatives such as the “BRICS Dialogue on Climate Change, Sustainable Energy and Biodiversity” .

3. Welcome by Silvia Cappelli,

The **President of Law for a Green Planet Institute** welcomed the Steering Committee members, and expressed JUSTICE Antonio Benjamin's apologies for not being able to join us this morning, although he will be joining us tonight. This morning he had to be in Brasilia as a keynote speaker at a hearing in the Brazilian Senate, broadcasted live on national television, to discuss the Federal Forest Code.

4. Introduction and Roles

The Steering Committee members briefly introduced themselves to the rest of the Steering Committee. The Head of the Environmental Law Centre, Mr. Alejandro Iza introduced himself as an Ex-Officio member of the Steering Committee.

A representative of ABRAMPA also introduced herself to the Steering Committee members and wished them a successful meeting.

5. Ground Rules

The ground rules that will be used for the meeting are presented. SC members expressed their agreement with the ground rules.

6. Time Allocation

The Chair suggested the meeting go on without stopping for a coffee break straight through to lunch in order to give members more time to discuss each line item.

7. Agenda review/adoption

Mr. Adel Omar Sherif requested that SC members try to go through as many items as they can before May 1 given that he has to return to Egypt on that date. Ms. Melinda Janki suggested that they move the discussion on Specialist Groups right after the lunch break given the importance of the topic. All SC members agreed with the proposed changes.

8. Document update

SC members expressed their approval of the provided documentation. The Chair thanked the members for agreeing to receive the documents in their electronic version rather than in their printed version, given CEL's policy on saving paper.

9. Comments and expectations/meeting objective

The Chair requested the SC members to provide their input during the entire meeting in order to improve CEL's performance for this new period, especially on how to prioritize key issues and how to address them.

10. Brainstorming about current environmental issues

Mr. Alejandro Iza proposed that this line item be moved to later on the agenda. The Chair then proposed that Dr. Iza give his presentation on the ELP and the IUCN Programme next.

11. Mr. Alejandro Iza's Presentation on the ELP and the IUCN Programme

- **Overview of IUCN and the IUCN Global Programme (2009-2012)**

Dr. Iza gave an overview of IUCN's composition and its membership, which consists of more than half a thousand members. He presented IUCN's mission and its history. He stressed on IUCN's difference to other organizations in that it convenes all players (from states to civil society) at a global-to-local reach.

Next, Dr. Iza gave a brief presentation on how IUCN works and its structure, which is divided in three important pillars: Members, Council and Secretariat. The members are divided into Regional and National Committees. Council is divided into six (6) Commissions corresponding to key areas of expertise: the Commission on Environmental Law (CEL); the Commission on Ecosystem Management (CEM); the Commission on Education and Communication (CEC), the Commission on Environmental, Economic and Social Policy (CEESP), the World Commission on Protected Areas (WCPA); and the Species Survival Commission (SSC). Secretariat is responsible for operation (finance, human resources, administration, etc.), strategies (membership services, communications, fundraising, etc.), programme (biodiversity, livelihood, climate change, etc.), and regions (Africa, Americas, Asia, Europe), with offices all over the world.

During the discussion, Dr. Iza mentioned that one of the main challenges of the Union is managing its size. The Chair told the SC members that she will send them the "The Green Web", a publication on IUCN's history. The Chair informed the members about the opportunities to work supporting IUCN's governance, and that CEL's Chair is now part of the Governance Committee. Through this, CEL will be able to provide key support for IUCN's work in areas such as regional committees and local governments' legal status.

Then, Dr. Iza presented to the SC members about what IUCN does in terms of programme, the domains it covers, and its main activities. The IUCN Programme is a framework of work for the entire Union that is valid for five (5) years and has five (5) key areas:

- 1) Biodiversity (CPA 1),
- 2) Climate Change (TPA 2),
- 3) Energy (TPA 3),
- 4) Poverty and Livelihoods Security (TPA 4),
- 5) Economy and Markets (TPA 5).

Dr. Iza explained how the new Network Approach works. It consists of a network integrated by a core group (composed of people from Secretariat, Commissions, etc.) and three thematic area groups. CEL must appoint someone to represent the Commission in each group. The next level is the implementing group (composed of partners, commission members, etc.) that is in charge of delivering specific results related to each area. These two will work in turn with the stakeholders (communities and target groups) who have been identified according to the established activities in each specific area.

Mr. Harley Mitchell said that perhaps this proposed method to solve a problem was going to be difficult to implement. He said that Dr. Iza should state what the benefits of this new approach were. Dr. Iza replied that the Network Approach was supposed to serve as an integration tool. Mr. Mitchell stated his concern about clarifying the explanation of how the Network Approach works, given that SC members would have to explain this within their own regions. Dr. Iza replied that the instrument is new and yet to be applied and that he is not very familiar with it yet.

The Chair said that she will request further information on how this instrument will work.

- **Overview of the IUCN Environmental Law Programme**

Mr. Alejandro Iza gave a summary of what the Environmental Law Programme is and how it works. He explained that the ELP is a hub for research and networking on Environmental Law and Policy and is composed of CEL and the Environmental Law Centre. The ELC is CEL's Secretariat office and is based in Bonn, Germany. Among its main responsibilities, it provides legal input to the IUCN global and regional programmes and responds to members' requests. It also manages one of the world's largest collections of material related to environmental law (ECOLEX). The ELC also acts as a focal point of both CEL and the Academy of Environmental Law. Among its activities, the ELC provides legal assistance in drafting and implementing legislation and treaties, training and capacity building, information dissemination and publications, and the implementation of WCC resolutions. In this regard, Dr. Iza presented the SC members with the WCC resolutions which call on CEL.

The Chair announced that the agenda will include a discussion period on these WCC resolutions that have a special call upon CEL.

The Chair explained to the SC members that Council had requested Commission Chairs, and Council at large, to rank WCC resolutions into a list of priorities. The Chair told the SC members that she would forward the results of this prioritization.

- **Example of ELP result delivery (2009-2012)**

Dr. Iza gave a brief presentation of the main areas in which IUCN will be working according to each Programme Area. In CPA 1: Conserving the Diversity of Life, activities would include, capacity building, soils conservation, etc. In TPA 2: Changing the Climate Forecast, activities would include mutual supportiveness of biodiversity and climate change policies and fair benefit sharing in a future REDD regime. In TPA 3: Naturally Energizing the future, activities include guidance on existing and emerging bio fuel standards into national policy and regulatory regimes. In TPA 4: Managing Ecosystems for Human Well-being, activities would include guidance on the implementation of Article 8j of the CBD on the use and protection of traditional knowledge, and a draft legal regime for governing environmental reparations from conflict interventions. In TPA 5: Greening the World Economy, activities will include work on the topic of Payment for Ecosystem Services and trading regimes.

- **Examples of joint ELP implementation**

Mr. Alejandro Iza gave a short presentation on how the ELP and CEL have worked and continues to work together. He spoke about the importance of recognizing the benefits of working together as well as strengthening links for the future. Dr. Iza concluded by saying that mutual support for Programme delivery should be a joint success.

12. Presentation by CEL Chair Activity Report 2004-2008

The Chair presented the 2004-2008 Activity Report to WCC to the SC members. She explained how the data was collected from the members and the importance of this

new database for future planning as the former one was outdated and therefore inaccurate.

One of the first steps taken was to prioritize the Specialist Groups' work given that they are instrumental for delivering the ELP.

It was thus agreed to provide each Specialist Group with a modest amount of funds for their activities. The Chair told the SC members that CEL, during her previous term, was the first Commission to hold meetings for its Specialist Groups, which led to SGs working together and sharing ideas. The meetings were held in Foz do Iguazú and the second one in Istanbul, Turkey and convened representatives from all three pillars of IUCN including regional committee chairs and staff members from around the world.

The Chair explained how CEL has its budget approved by IUCN Headquarters and audited by a third party yearly, specifically Ernst & Young.

Like Dr. Iza, the Chair spoke about the importance of joint work with the ELC, and proposed to draft a Protocol for relating with the ELC, to avoid any grey areas and to introduce clear terms of engagement.

Next, the Chair spoke about the creation of the "Alexander Kiss Award" for young law professionals. This annual award aims at encouraging young lawyers from the developing world to become engaged in environmental law. The winner of the contest obtains an internship at the ELC. The award is selected from a contest of papers and different topics are selected every year.

Mr. David Hunter requested that these papers be sent to the SC members as well as the call for papers once it is launched again. The Chair agreed to do so.

The Chair then presented CEL's existing communication tools:

- The **Helpdesk**, which started as a way to help institutional members meet their different needs. For example, should a member need consulting regarding a specific topic on environmental law, they would contact the Helpdesk and CEL would in turn contact a Commission member, to help them with their request.

However, the Chair explained about the current challenges involved in using the Helpdesk which prevents it from being used more frequently and reachable for members. The Chair must go through Headquarters (specifically the Membership Unit) before contacting a member, and the process is thus rendered more complicated. SC members expressed their interest in attempting to find a solution for this. Mr. Adel Omar Sherif suggested the SC provide their input for improving this process to make it more efficient.

The Chair continued by explaining which communication tools were developed:

- The **CEL List**, a virtual forum through which members can exchange news and information.

- The **CEL Facebook**, in which members can upload pictures, post messages and participate in chat rooms. The CEL Facebook is currently being re-designed.

The Chair explained about the launching of a survey, immediately after the WCC in Barcelona, to assess the needs of the Commission. The results of this survey will be shared in detail in another session.

She shared with the SC members what CEL members had expressed through the survey regarding communication. Many had said that they found some of the communication tools difficult to use. Nonetheless, SC members said that these communication tools should be kept working and their rate of use should be measured.

Last, the Chair told the SC members about the past Contest for Judges. She said that she would like to propose to keep the contest, but also re-launch the Judiciary Portal that was an effective tool to support the Judiciary, but was discontinued. She explained that representatives from the High Court, Association of Federal Judges of Brazil and the Supreme Court of Argentina expressed their willingness to help with this initiative, and that she had already appointed a staff member at the CEL Liaison Office to begin to work on this.

13. CEL Statutes and Bylaws

The Chair gave a brief summary of CEL's Statutes and Bylaws, including its functions and Mandate according to the IUCN Programme. The Chair informed the SC members that she had appointed the Deputy Chair at the WCC and the current members of the SC at the first Council meeting as is mandated by the IUCN Bylaws and Regulations. She explained to the present SC members that they can propose to add two more members to the Steering Committee should they consider it necessary.

Then, the Chair reminded SC members of CEL's composure (Chair, Deputy Chair, Steering Committee, etc.) and the regularity with which meetings are held (i.e. annual Steering Committee meetings).

Next, the Chair explained about the new structure she would like to implement to give support to the work of the SC.

In the first place, the Chair summarized the process individuals must go through to become members, including the need of endorsement from another member. She told the SC that should they recommend someone for membership, the individual would go through a "fast-track". However, she told SC members that Specialist Group Chairs can invite non-lawyers to become members of an SG to contribute with their expertise.

The Chair then explained that since the Chair has the right to appoint members in addition to the Deputy Chair and Steering Committee, she thought it would be a good idea to appoint representatives in charge of the francophone world and the lusophone world.

She informed the SC that Michel Prieur (France) and Silvia Capelli (Brazil) were selected for this task. She added that the CEL Liaison Office would respond to these appointments by having people directly in charge of these two language groups.

The Chair shared with the SC members about the importance of having a much stronger regional presence. She said that this could be attended to by selecting members willing to act as regional focal points. Ms. Elizabeth Mrema suggested that

regional focal points should provide the CEL Chair with a debriefing report on current events in the region to keep the Chair informed.

Next, the Chair asked SC members for suggestions on how to establish the regional nodes. Ms. Elizabeth Mrema suggested first dividing Africa linguistically (Francophone, Anglophone and Lusophone countries); then dividing the continent into Eastern Africa, Southern Africa, and Northern Africa.

Ms. Melinda Janki said that she was concerned about the language distribution. She proposed having one Andean focal point, one for Brazil alone, one for the Southern Cone countries, one for the three Guyanas, and another for the CARICOM countries (including Belize, since it is an English-speaking country). She said she would like to gather more members from the Caribbean region, since membership in this region is rather small.

Mr. Harley Mitchell said that one regional focal point would be enough for Mesoamerica. Mr. David Hunter also said it would be enough to have one regional focal point for North America.

The CEL Chair added that it would be necessary to appoint one regional focal point for Oceania, and another one for Europe. Ms. Elizabeth Mrema suggested dividing Europe into Eastern and Western Europe and appointing a focal point for each of these divisions.

Mr. Adel Omar Sherif said that although there is a risk of increasing bureaucracy, these regional groups are necessary to reach out to members around the world.

Mr. David Hunter agreed with him and said that national focal points should be appointed by the regional focal points.

Ms. Elizabeth Mrema suggested that regional focal points choose the best way to communicate within their region (i.e. in their own language, through a regional emailing group, etc.).

Ms. Melinda Janki agreed and said that this would also serve to better represent CEL within regions. Mr. Alejandro Iza said that establishing regional networks would also help maintain members engaged. However, this should work by means of an established system of communication and data-collection (i.e. regional portals). Steering Committee members all agreed on creating these regional portals.

The Chair asked the SC members for their help in representing CEL in key meetings and conferences. She explained how this is important for reaching out to members all around the world. She asked SC members to share their agendas with the rest of the SC members so that all can be aware of current events.

The Chair also informed the SC of the new figure of “Friend of the Chair” which is similar to the figure of Honorary Member who provides the Chair with advice on certain key topics. Honorary Membership is provided to individuals who have made a significant contribution to CEL.

The Chair informed the SC about the figure of the Executive Committee, which may be composed of the Chair, Deputy Chair, ELP Director and one member of the Steering

Committee. This was not implemented during the 2004 – 2008 period. SC members agreed that given the small size of the SC this figure is not necessary.

All of the above-mentioned proposals were endorsed by the SC.

14. Members Update—CEL Survey Results

The Chair presented the results of a survey conducted during the first months of 2009 in all three official IUCN languages to the SC members. This survey was made available to the entire CEL membership. Topics included in the survey are: the importance of environmental law, facilitating CEL members' participation in IUCN's work, how CEL can serve IUCN's global program better, and the creation of regional groups within the Commission.

Other topics included in the survey were: how CEL should relate with other institutions, suggestions for establishing cross-cutting thematic work with other Commissions, and suggestions to improve CEL's position and leadership. With regards to inter-institutional relations, Ms. Elizabeth Mrema mentioned the case of Montevideo IV, and the Chair mentioned the fact that many CEL members had asked about the possibility of forming a working group for Montevideo IV.

More topics included: the composition and size of the Steering Committee, suggestions for improving CEL member relations, the work of Specialist Groups, organizational models for members outside SGs, communication, technological tools of information, the language barrier, among others. The Chair concluded that the survey results are important for developing CEL's Work plan.

Ms. Melinda Janki requested that the survey results be sent to all SC members and the Chair agreed.

15. Budget Status

The Chair explained each line item included in previous CEL Budgets to the SC members. These line items include: Commission Meetings, Travel to key external meetings, travel to IUCN governance meetings, local staff support, office support, support costs to Chair, Deputy Chair, SG chairs, support subsidiary commission structures, administration, and miscellaneous costs.

Next, the Chair explained to all SC members that CEL has been receiving the same budget for the past years, and that unfortunately, CEL cannot receive any additional funds from HQ and this may limit CEL from expanding its activities. She thus highlighted the importance of fundraising and obtaining external funding. Therefore, all support, such as the one provided by our Brazilian hosts is very much welcome.

She then informed the SC members of the issues related to funds disbursement and requests for funds coming from Specialist Groups. The Chair explained to the SC members that language groups as the francophone, have also request funding for their activities and it is necessary to develop a strategy to attend to this.

Mr. Hunter proposed that the strategy be to tie the funds to a structure in which the Specialist Groups carry out their activities responding to the IUCN Programme. These

activities should be prioritized for the funding. Should any extra funds remain, then they could be utilized to support the language groups.

16. Close-up

The CEL Chair announced the conclusion of the first day of the Steering Committee Meeting and thanked the SC members for a productive first day.

DAY TWO- April 30th, 2009

1. Call to Order – Note Quorum

The Chair of the Commission on Environmental Law (CEL), Ms. Sheila Abed, called the meeting to order at 9:05 AM on April 30th, 2009.

She announced that Dr. Smrithi Talwar and Dr. Antonio Benjamin, CEL's Deputy Chair were now able to join the rest of the Steering Committee at the meeting and welcomed them.

The Chair then gave Ms Talwar and the Deputy Chair a brief summary of the issues discussed the day before. With regards to the discussion on regional focal points, Dr. Smrithi Talwar suggested having specific focal points for larger countries such as India. She suggested later grouping Nepal, Bangladesh and Sri Lanka together, and perhaps adding Pakistan as well. The Chair said that perhaps considering the amount of IUCN members in Pakistan (66 members), that Pakistan should have one specific focal point itself. Ms. Talwar also suggested grouping Southeast Asian countries. She also suggested China having one specific focal point, and later grouping East Asian countries (Japan, South Korea, etc.) together.

2. Specialist Groups Review

The Chair gave a review of the existing CEL Specialist Groups, and the proposed Chairs for each. She informed SC members of which of the SGs had been active, and which had been dormant in the past and would need to be reactivated.

She also informed them of which of the SG's were lacking a proposed Chair and which had requested to share the position of Chair for two years each.

After some discussion, SC members decided to approve the proposed Chairs and requested that the Chair recruit other members to chair those groups which are still lacking a Chair.

Mr. Harley Mitchell said that the SC members should set standards for the SG's to evaluate their performance and use this to decide on whether to change an SG Chair or not.

Dr. Smrithi Talwar expressed her agreement with Mr. Harley Mitchell and said that the SC must be careful to choose SG Chair solely according to her/his career, given that she/he can simply not be able to chair the SG because of their time availability.

The Chair replied the CEL Liaison Officer had sent them frequent reminders of what their role was throughout the entire first term and that at the end of the first term she

had sent each SG Chair an evaluation of their work. In general terms and regarding the voluntary basis work of the SG, it was good enough.

Ms. Elizabeth Mrema motioned that the SC ask INECE to appoint a person from their Steering Committee to chair the SG on Enforcement and Compliance. Deputy Chair and Ms. Melinda Janki seconded the motion.

Mr. Alejandro Iza informed the SC that the ELP was currently drafting an MOU with INECE, not yet finalized.

On another note, the Chair explained to the SC members that it is necessary to give the **Judiciary SG** a much greater importance, and she thus proposed that rather than having one SG Chair, there be a small bureau of three or four Court Justices to lead the group. She said she would chair this bureau.

The Chair told the SC members that it would perhaps be necessary to create a new **Parliamentary SG**, in response to numerous requests she has received. She received the approval to continue with this initiative.

Melinda Janki suggested splitting of the **SG on Energy Law and Climate** change in two groups given the broadness of both subjects, after some discussion, SC members agreed to give the chair the mandate to make a decision on this after consultation with the chair of the Specialist Group. Next, the Chair gave a short description of each proposed SG Group.

First, she said that the SG on Ethics had been very active and efficient in the past and that she was pleased with Mr. Klaus Bosselmann's work as Chair. She said that Ms. Claudia de Windt had volunteered to chair the SG on Human Rights and that she was backed by the Organization of American States.

Ms. Melinda Janki continued by giving a brief description of the work of the SG on Indigenous People and its importance. She commended the work of Mr. John Scott that is an indigenous person himself, and has provided a strong link between CEL and the CBD.

The Chair continued describing the work of the Oceans, Coastal and Coral Reefs SG as great and that the two previous Chairs had requested to continue working together. They would like to each chair the SG for two years each.

As for the SG Chair on the Sustainable Use of Soil, Mr. Ian Hannam, the Chair also expressed that she was very pleased with his past performance.

She next described the proposed Chair of the SG on Trade and Environment, Maria Amparo Alban. She said that she had volunteered for the job and that she had known credentials in Latin America on the topic.

The Chair continued giving a brief review of the two existing Intercommission Task Forces: the Artic Regime Task Force and the Task Force on Protected Areas.

She said that the Artic Regime TF was chaired by Mr. Wolfgang Burhenne and that it was very active. Ms. Melinda Janki reported on the TF on Protected Areas including the reason for its creation and past activities and publications. She added that there would

be a results report submitted shortly. Ms. Melinda Janki suggested that perhaps the work of this TF should go to a Specialist Group.

Mr. David Hunter suggested keeping the group on Forests as a Task Force that could gather to respond to specific requests. Ms. Melinda Janki agreed. The Chair agreed and suggested that this TF be kept until they complete the task they are currently working on and leave the decision for later.

The Chair continued by describing the TF on Forests. She described that this TF had encountered a problem in its creation. She had contacted Prof. Nii Ashie Kotey from Ghana to Co-Chair the TF and she had received no official reply. She added that this TF is key given the importance of Forests. She also said that it would be important to appoint someone by the time the next conference on Forests takes place to have someone from CEL represent the Commission.

Upon request of the Chair, Mr. Alejandro Iza gave some brief comments about FLEGG, stating he was not very familiar with this initiative.

The Chair presented to the SC members the SGs which submitted their Work plans and budgets for the new period: Sustainable Use of Soils; Oceans, Coasts, and Coral Reefs; Energy Law and Climate; Armed Conflict & the Environment; and Ethics. The TF on Protected Areas and the Arctic TF also presented its Workplan and budget.

The SC approved the budgets and Workplans of the following SGs: Sustainable Use of Soils; Oceans, Coasts, and Coral Reefs; and Ethics (only up to US\$ 5,000).

They suggested that the following SG revise its budget and make it respond to deliverables.

Ms. Elizabeth Mrema said that UNEP had already carried out the study that the SG on Armed Conflict & the Environment had included in its Work plan, and had even produced two publications on the subject. The two publications are titled: "Potential Application of International Environmental Law during Armed Conflict" and "Protection of the Environment and Natural Resources during Armed Conflict by International Humanitarian, Human Rights and Environmental Law. The Chair said she would contact the Chair and ask for an explanation.

Ms. Melinda Janki emphasized again on giving each SG deliverables to give them specific responsibilities. Dr. Smrithi Talwar agreed and proposed that perhaps some groups be more broadly phrased so that they can attract and include more members.

In this regard, the Chair shares with the group that many members of the Commission are asking for a more flexible method of functioning besides the SG that will enable them to engage more actively in CEL's work.

She continued saying that the Commission should ensure that members have appropriate spaces to discuss topics of their interest. She also added that the Commission should distinguish the more formal SGs from the Working Groups with specific tasks so called Task Forces.

Melinda Janki proposed the creation of "Knowledge Forums" which would work more as an intellectual group for discussion or research.

A “Knowledge Forum” could be a group of people who gather to discuss certain issues and may or may not produce a result. This differs from Specialist Groups that respond to the Programme and have deliverables, and Task Forces that are ad hoc and have one specific task.

Dr. Smrithi Talwar proposed to institutionalize the new Knowledge Forum category and have a moderator for each. Ms. Melinda Janki also proposed to create list-serves for each Knowledge Forum.

Mr. Harley Mitchell agreed and added that SGs that are related to the Programme should in turn be distinguished from SGs that serve CEL alone. Mr. David Hunter also added that the SC should look at the WCC Resolutions that call on CEL for action and make sure that the SGs respond to them. Deputy Chair proposed that the SC give SGs at least one main deliverable each.

Mr. Alejandro Iza suggested appointing SC members as well as ELC staff to liaise with each SG as was done in the past.

The Chair accepted the suggestion indicating that the SGs should align their work to the priorities of the IUCN Programme and orient them towards to the core and the thematic areas.

The SG voted and accepted three categories of groups: Specialist Groups, Task Forces and Knowledge Forums.

2. Information Management and Communication

The Chair announced that since she had reported on this topic in detail in a previous presentation, she would now simply show the SC members the CEL Newsletter. The new CEL Newsletter received unanimous support from the SC members who recognized it as an important tool for communication.

3. ABRAMPA Conference

Steering Committee members participated in a Panel on “Law, Climate Change and the Environment: International and National Perspectives” at the ABRAMPA Conference.

The Conference had wide attendance of ENVIRONMENTAL PUBLIC PROSECUTORS district attorneys from Brazil and the rest of Mesoamerica. CEL’s participation in the Conference was highly commended, which serves to show that this is an important opportunity to give CEL’s and IUCN’s work more exposure at a regional level.

4. Close-up

The CEL Chair announced the conclusion of the second day of the Steering Committee Meeting and thanked the SC members for another very productive day of work.

DAY THREE- May 1st, 2009

1. Call to Order – Note Quorum

The Chair of the Commission on Environmental Law (CEL), Ms. Sheila Abed, called the meeting to order at 9:15 AM on May 1st, 2009.

2. Strategic Issues

Upon request of the CEL Chair, Mr. Alejandro Iza gave a very brief summary of the ongoing projects in the Environmental Law Centre. The Deputy Chair requested that Mr. Alejandro Iza give all SC members copies of these projects' proposals and reports so that they can all be aware of exactly what they consist of and find ways to link these projects with CEL activities.

The Chair insisted on this as well in order to make use of this information to seize opportunities to work together with other organizations such as the Organization of American States, INECE, etc.

The Deputy Chair stated that it was important to use the CEL membership for the ELC projects, given the different capacities of the Commission members. The Chair added that this was perfectly compatible with IUCN's and CEL's mission, since exchanging experiences and information within the network of members is crucial.

The Deputy Chair asked Mr. Alejandro Iza how he saw CEL's SC supporting the ELC, besides giving political support. Mr. Alejandro Iza replied that CEL and ELC could work together through joint projects and promised to collaborate from now on by providing the necessary information.

The Chair insisted that she needed information on the ELC ongoing projects, as she has requested on numerous occasions, also to respond to CEL member requests.

Many members have asked for information on how colleagues work in certain topics and where and she has not been able to give them adequate information. She added that she would like to change this. The Chair also said that she had already requested the ELC Head to send the SC quarterly reports on the ELC projects. The Chair committed to drafting a model form or questionnaire for this report to provide all the information necessary for SC members to make appropriate decisions. The Deputy Chair agreed and said that this was of utmost importance to ensure a transparent, democratic process and strengthen the relationship between CEL and the ELC.

The Chair clarified that she is not requesting for a monitoring and evaluation report from the ELC, but rather for information on the projects. The Deputy Chair added that this would in fact serve to protect the Environmental Law Programme on improving its internal communication as well as its external visibility.

The Chair said that upon obtaining information on the ELC projects, CEL could also increasingly help the ELC.

The Chair said that previous to this meeting, she had requested Mr. Alejandro Iza to send her a list of the ELP publications and update on the launching of new ones.

She presented this list to the SC members. Ms. Elizabeth Mrema insisted on the importance of notifying CEL members when something is published to assist in the diffusion of information. Ms. Melinda Janki added that Specialist Group Chairs should inform the CEL Chair when they publish a material as well so that she can, in turn,

inform the entire CEL membership about them. Ms. Melinda Janki commended the CEL Chair on including announcements of new publications in the new CEL Newsletter.

Ms. Elizabeth Mrema said the SC must think about the best ways to ensure that these publications are used and the recommendations included in them implemented. She suggested using meetings and events to diffuse these publications, particularly meetings that are related to the IUCN thematic areas.

The Deputy Chair suggested making these publications available on-line. Mr. David Hunter proposed developing a "Distribution Plan". Dr. Smrithi Talwar also proposed using the new regional nodes to distribute publications.

The Chair asked Mr. Alejandro Iza who could inform the SC of which and how many books were available in Gland for distribution. He replied that Ann De Voy would be able to do this.

The Chair proposed the creation of a "Virtual Library" that will be available to the public on-line.

On other issues, the Chair also spoke about the possibility of organizing side events during COPS and building spaces in other international events. Also to take advantage of memberships in other networks to extend the work of the Commission.

Mr. Harley Mitchell suggested SC members look at other Commissions' activities to see where and how CEL could work.

The Chair thanked all SC members for their input and said she would include all of their suggestions and decisions in a draft Work plan.

3. Partnerships

The CEL Chair asked SC members for their suggestions on which partnerships they thought it would be important to encourage.

Ms. Elizabeth Mrema and the Deputy Chair started a discussion on an agreement between CEL and UNEP. The Deputy Chair mentioned the existence of an umbrella agreement between the ELP and UNEP. He also added that the Chair was planning to visit UNEP to discuss this existing umbrella agreement and how to push this relationship further.

As for a partnership with INECE, the Deputy Chair said this dialogue would be simple to establish, since three (3) of the SC members were also members of the EPC of INECE (Mrema, Benjamin and Adel Sherif).

Dr. Smrithi Talwar said that The Energy and Resources Institute (TERI) had suggested creating an alliance with three (3) other institutions and CEL in perhaps a Task Force to work on case studies and publications.

Ms. Melinda Janki said there was a risk with forming alliances with institutions, since CEL's richness was in its members. She said CEL's focus should remain in its members, and alliances with institutions should be formed only under MOUs and in specific projects to collaborate in specific goals. These alliances should be formed only when

there is an advantage to the ELP. Mr. Harley Mitchell added that perhaps these institutions can submit proposals to CEL for joint activities (hosting events, fora, etc.).

The Steering Committee decided that the much-welcomed alliances would be formed for specific deliverables or tasks.

4. Working Level Duties

The CEL Chair told members that in the past, SC members were appointed to liaise with Specialist Groups, but that this had not worked very well.

The Deputy Chair told the rest of the SC members that this responsibility took a lot of time, and that he suggested that the CEL Chair's support staff should now assume this responsibility to liaise directly with SG Chairs.

The CEL Chair decided to leave the SG reporting responsibility on the SG Chairs, but to create a communication scheme for this reporting.

Mr. Antonio Benjamin suggested that SC members go through the list of Specialist Groups and select a couple of them to focus in if they were willing to do so.

The Chair requested that SC members inform the Liaison Officer, Miss Maria Elena Zanotti of which SGs they would be interested in liaising with.

Ms. Elizabeth Mrema said she would like to liaise with the SG on Enforcement and Compliance and the Judiciary SG.

Dr. Smrithi Talwar said she would like to liaise with the SG on Armed Conflict & the Environment and the SG on Climate Change.

Ms. Melinda Janki said she would like to liaise with the SG on Energy and Climate Change and the SG on Indigenous People.

Mr. Harley Mitchell said he would like to liaise with the SGs on Human Rights, Oceans, and Ethics.

Mr. David Hunter said he would like to liaise with the SGs on Trade and the Environment, Human Rights, and Climate Change.

The Chair and the Deputy Chair should liaise with all the SGs.

It was thus decided that the responsibility to follow up on the SG's work would lie on the Chair and the CEL Liaison Office staff jointly with the SG Chairs. SC members will also be involved according to the SGs they selected to liaise with.

5. Next Meeting

The CEL Chair said that the next meeting should be the Specialist Groups Meeting, given that they have taken place every other year. She emphasized the need to obtain financial support for this meeting. Should the meeting be co-hosted and there are funds available, then CEL could explore the possibility of holding another Steering Committee meeting parallel to the Specialist Group Meeting.

Mr. David Hunter will explore the possibility of hosting the meeting in Washington, DC.

Ms. Melinda Janki said she would be hesitant to holding the meeting in North America given the fact that it was sometimes difficult to obtain visas to travel to the US.

The Deputy Chair suggested that the SC first explore the possibility of hosting the meeting in the US. If no other options were available, he would be able to find a co-host in Brazil.

Mr. Adel Omar Sherif will also explore the possibility of hosting the meeting in Egypt.

Mr. David Hunter said that he would be willing to pay for his own ticket and that perhaps other SC members could do the same to save funds for lodging.

6. Further Steps

The Deputy Chair said that he had discussed with the Chair initially about selecting a key theme and priority countries to work in order to give CEL and IUCN increased visibility, and serve to engage current members and attract new ones. He said that this is how the idea of working with the BRICS countries (Brazil, Russia, India, China and South Africa) came up. The initiative is called “The BRICS Dialogue on Climate Change, Sustainable Energy and Biodiversity”.

In that regard, The Deputy Chair told the SC members about the trip he took to India with the CEL Chair and the outreach they managed to have there. They met with numerous local authorities including the Supreme Court Chief Justice of India, The Minister of the Environment, the Nobel Laureate Rajendra Pachauri, Dr. MC Mehta, Professor Bhhrat Desai and his students, and CEL members of India. The President of IUCN, Dr. Achok Khosla and his wife, kindly hosted a dinner at his house for CEL Chair and Deputy Chair, to which he invited leading environmental law and policy experts of the country and Brazilian diplomats..

He said he would like to express CEL’s gratitude to the embassy of Brazil in India, especially to Ambassador Marco Antonio Diniz Brandao, Minister Jose Carlos Fonseca and Secretary Marcela Segocio, three diplomats that helped to set up several of the meetings in Delhi. He also mentioned that the local authorities they visited offered to host the BRICS seminar. He said that the meeting would have local speakers and mainly focus on India.

As for Russia, he mentioned that he was already in touch with authorities there. After Russia, the next meetings would be held in China and Brazil.

Mr. David Hunter suggested that if CEL was beginning a BRICS initiative, and since the SC had already decided to appoint a focal point for Brazil, then along these lines it would be important to appoint a focal point for other countries such as China and Russia.

The Chair said that she would like to form a *Petit Comité* to carry out this initiative. The Deputy Chair reminded them that there was no specific funding for this initiative in CEL’s present budget, so the commission would have to rely on contributions from the institutions and persons involved, including speakers. All SC members expressed their conformity with the idea of the BRICS initiative.

7. The Academy on Environmental Law

Mr. Alejandro Iza gave a brief description of the history of the establishment of the Academy on Environmental Law, whose main mission is to carry out legal research and capacity building.

Ms. Elizabeth Mrema thanked Mr. Alejandro Iza for clarifying the differences between CEL, ELC and the Academy.

Mr. Alejandro Iza explained the existing branding issue, given that the Academy is allowed to use IUCN's name. This leads to confusion in the public, who cannot tell the difference between CEL and the Academy.

Dr. Iza explained to the SC members that on a long term basis some solutions for this could be for the Academy to alter its name and become an associate member of IUCN. Another option would be to implement a franchise system, and charge the Academy a fee for using IUCN's name.

The Chair emphasized on improving communication with the Academy so as to work more cooperatively, and so that the Academy focuses on academic work to complement the ELC and CEL's work. She added that this is completely achievable.

The Chair reminded all SC members that should they require any additional information on the Academy, that they contact Mr. Alejandro Iza.

8. Meeting adjournment

The CEL Chair thanked the Steering Committee members for a successful First Steering Committee Meeting. She said she was very pleased with the new Steering Committee and the outcomes of the meeting.

The Deputy Chair commented that great deal has been achieved and he was very pleased with the results as well.