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# Economic Commission for Latin America and the Caribbean

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## CAPACITY-BUILDING AND COOPERATION IN MULTILATERAL ENVIRONMENTAL AGREEMENTS

Sustainable Development and Human Settlements Division

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## WORKING GROUP ON CAPACITY-BUILDING AND COOPERATION

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- ▶ **Objective of the WG according to the Plan of Action to 2014:**
    - ▶ Formulate a proposal to intensify regional and international cooperation on the basis of the training and financing needs and options, both for the public sector and the public in general
  - ▶ **Action lines of the WG for 2014:**
    - ▶ Discuss possible alternatives to integrate the activities of the Working Group with the development of a regional instrument
      - ▶ Study the operation and effectiveness of the cooperation mechanisms present in the different instruments of environmental or regional character
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# OBJECTIVE OF ECLAC'S REVIEW OF MEAs

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- ▶ Review capacity-building and cooperation models on the basis of the existing mechanisms in the **texts** of MEAs
  - ▶ **Inform WG discussions** to prepare a proposal of content on capacity-building and cooperation to be considered in the regional instrument to fully implement access rights in environmental matters
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# MULTILATERAL ENVIRONMENTAL AGREEMENTS CONSIDERED



## Aarhus Convention (1998) and Kiev Protocol (2003)



Minamata Convention (2013)



Stockholm Convention (2001)



Rotterdam Convention (1998)



UNCCD (\*) (1994)



CBD (\*) (1992)



UNFCCC (\*) (1992)



Basel Convention (1989)



Vienna Convention (\*) (1985)

Nagoya Protocol (2010)

Kyoto Protocol (\*) (1997)

Montreal Protocol (\*) (1987)

Cartagena Protocol (2000)

(\*) Ratified by 33 Latin American and Caribbean countries



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# ELEMENTS REVIEWED (I)

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- ▶ **Capacity-building and cooperation between State Parties**
    - ▶ Technical assistance, capacity-building
    - ▶ Exchange of information
    - ▶ Research, access / transfer of technology
  - ▶ **Capacity-building between bodies of the instrument and State Parties**
    - ▶ Clearing-houses and other multilateral mechanisms
  - ▶ **Capacity-building of the public**
    - ▶ Information / awareness-raising / education
  - ▶ **Capacity-building of authorities and civil servants**
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# ELEMENTS REVIEWED (II)

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- ▶ **Regional and international cooperation**
    - ▶ Between State Parties at the regional and international level
    - ▶ Between the instrument and other instruments
  
  - ▶ **Financing**
    - ▶ Financial resources
    - ▶ Financial mechanisms
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# SUMMARY OF CAPACITY-BUILDING AND COOPERATION IN MEAs

	Aarhus	Kiev	Minamata	Stockholm	Rotterdam	UNCCD	CBD	Nagoya	Cartagena	UNFCCC	Kyoto	Basel	Vienna	Montreal
Specific article on capacity-building		X	X	X	X	X	X	X	X	X		X		
Capacity-building mainstreamed in other articles	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Capacity-building among Parties	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Capacity-building for public	X	X	X	X		X	X	X	X	X				X
Capacity-building for authorities and civil servants	X	X		X		X	X			X	X		X	
Information exchange	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Clearing house and other multilateral cooperation mechanisms				X		X	X	X	X		X	X		X
Access/transfer of technology			X	X	X	X	X	X	X	X	X	X	X	X
National capacity-building assessments						X		X						
Reference to vulnerable groups			X	X		X	X	X	X					
Cooperation at regional / international level	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Promotion of convention at international level	X	X				X	X			X	X			
Financial mechanism			X	X		X	X	X	X	X	X			X
Financial resources for national activities			X	X		X	X							
Reference to financing of capacity-building			X			X	X	X	X	X	X	X		X



# CAPACITY-BUILDING AND COOPERATION IN AARHUS AND KIEV

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## Aarhus Convention (1998)

- ▶ **Mainstreamed (lack of specific article)**
  - ▶ **Mainly under General Provisions (*art. 3*)**
    - ▶ Assistance and guidance to the public by officials (*art. 3.2*)
    - ▶ Environmental education and awareness (*art. 3.3*)
    - ▶ Recognition and support of environmental organizations (*art. 3.4*)
    - ▶ Exchange of information (*art. 10.2*)
    - ▶ Promotion of the application of the principles of the Convention at the international level (*art. 3.7*)
    - ▶ COP may establish necessary financial arrangements (*art. 10.3*)
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# CAPACITY-BUILDING AND COOPERATION IN AARHUS AND KIEV

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## Kiev Protocol (2003)

- ▶ **Capacity-building (art. 15)**
    - ▶ Public awareness of PRTR and assistance and guidance to access information, understand it and make use of it
    - ▶ Parties should provide adequate capacity-building for and guidance to responsible authorities and bodies
  - ▶ **International cooperation (art. 16)**
    - ▶ Support the objectives of the Protocol at the international level
    - ▶ Exchange of information
    - ▶ Mutual cooperation and cooperation with international organizations to promote public awareness at the international level, transfer of technology and technical assistance
  - ▶ **Meeting of the Parties (art. 17)**
    - ▶ Shall consider establishing financial arrangements by consensus and technical assistance mechanisms to facilitate the implementation of the Protocol
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# CAPACITY-BUILDING AND COOPERATION BETWEEN STATE PARTIES

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## I. Technical assistance and creation / building of capacities

- ▶ **Express recognition** of the importance and need of technical assistance to effectively implement the convention
    - ▶ *Art. 14.1 Minamata and art. 12 Stockholm: **timely** and **appropriate** assistance*
    - ▶ *Art. 16 Rotterdam, art. 19 UNCCD, and art. 18 CBD*
  
  - ▶ **Link between compliance of the convention and capacity-building and cooperation**
    - ▶ *Art. 13.2 Minatama, art. 22.2 Cartagena and art. 5 Montreal*
  
  - ▶ **Special consideration of the specific needs and circumstances of countries**
    - ▶ *Art. 14 Minamata, art. 12.2 and 12.5 Stockholm, art. 22.2 Cartagena, art. 3.2 UNFCCC and art. 10.4 Basel*
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# CAPACITY-BUILDING AND COOPERATION BETWEEN STATE PARTIES

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- ▶ **Definition** of what is understood by capacity-building / establishment of priorities
    - ▶ *Art. 19 UNCCD*: understands by capacity-building institution building, training and development of relevant local and national capacities and **lists capacity-building actions** that States shall promote
    - ▶ *Art. 18 CBD*: development and implementation of **national policies**. Special attention should be given to development and strengthening of national capabilities, by means of **human resources development and institution building**
    - ▶ *Art. 22 Nagoya*: list of **key areas** and **measures**
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# CAPACITY-BUILDING AND COOPERATION BETWEEN STATE PARTIES

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- ▶ **Framework / means to provide assistance**
    - ▶ *Art. 7 Annex III (Latin America and the Caribbean) UNCCD*: national focal points, coordination mechanism of the latter and periodic meetings of the Parties
    - ▶ Regional, subregional and national level (*art. 14 Minamata, art. 22 Nagoya*)
    - ▶ Regional and subregional capacity-building centres (*art. 10.4 and 12.4 Stockholm and art. 14 Basel*)
    - ▶ Private sector and other relevant stakeholders (*art. 22 Cartagena*)
    - ▶ Open mechanism: COP shall determine how to establish a clearing-house mechanism to promote and facilitate technical and scientific cooperation (*art. 18.3 CBD*)
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# CAPACITY-BUILDING AND COOPERATION BETWEEN STATE PARTIES

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## 2. Exchange of information

- ▶ Directly, through the Secretariat or in cooperation with other organizations
- ▶ Appointment of focal points
- ▶ Information on human health and safety and the environment shall not be regarded as confidential (*art. 9.5 Stockholm, art. 17.5 Minamata*)
- ▶ *Art. 17 Minamata, art. 9 Stockholm, art. 4.1 (h) UNFCCC, art. 14 Rotterdam, art. 16 UNCCD, art. 20 Cartagena, art. 14 Nagoya, art. 4.1 and Annex II Vienna and art. 9 Montreal*

## 3. Access / transfer of technology

- ▶ *Art. 14 Minamata, art. 18 UNCCD, art. 23 Nagoya, 4.5 UNFCCC and art. 10 A Montreal*
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# CAPACITY-BUILDING AND COOPERATION BETWEEN THE INSTRUMENT AND STATE PARTIES

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## I. COP

- ▶ Make recommendations on capacity-building and transfer of technology (*art. 14.5 Minamata and 12.3 and 12.4 Stockholm*), promote and facilitate the exchange of information (*art. 22.2b UNCCD*) and scientific and technical cooperation (*art. 18.3 CBD*)
- ▶ Review requests for technical assistance (*art. 11 Montreal*)

## 2. Technical Secretariat

- ▶ Facilitate the exchange of information (*art. 17.3 and 24.2d Minamata, art. 9.2 Stockholm, art. 8.2b UNFCCC, art. 13.4c Kyoto, art. 7 Vienna*)
- ▶ Facilitate assistance to Parties (*art. 24.2b Minamata, art. 19 Rotterdam, art. 8.2c UNFCCC, art. 13.4d Kyoto*) and receive and convey information from and to Parties on sources of technical assistance and training, available technical and scientific know-how, sources of advice and expertise and availability of resources (*art. 16.1g Basel*)

## 3. Clearing-house or other multilateral cooperation mechanisms

- ▶ *Art. 9.4 Stockholm, art. 20 Cartagena, art. 10 Nagoya and art. 12 Kyoto*
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# CAPACITY BUILDING OF THE PUBLIC

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- ▶ Provision of available information to the public
  - ▶ Training and awareness-raising
  - ▶ Environmental education
    - ▶ *Art. 18 Minamata:*
      - ▶ In collaboration with relevant intergovernmental and non-governmental organizations and vulnerable populations
      - ▶ Use existing mechanisms or give consideration to the development of new mechanisms (PRTR)
    - ▶ *Art. 10 Stockholm:*
      - ▶ Educational and public awareness programmes, especially for women, children and the least educated
      - ▶ Development and exchange of educational and public awareness materials at the national and international levels
      - ▶ Development and implementation of education and training programmes
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# CAPACITY-BUILDING OF THE PUBLIC

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- ▶ *Art. 19 UNCCD:*
    - ▶ Organization of awareness campaigns for the general public
    - ▶ Access by the public to relevant information and wide public participation in education and awareness activities
    - ▶ Encourage the establishment of associations that contribute to public awareness
    - ▶ Develop and exchange educational and public awareness material, where possible in local languages
    - ▶ Fully utilize relevant educational material available in competent international bodies
  - ▶ *Art 13 CBD:*
    - ▶ Inclusion in educational programmes/ propagation through media
  - ▶ *Art. 6 UNFCCC:*
    - ▶ Development and implementation of educational programmes
    - ▶ Development and exchange of educational and public awareness material on climate change and its effects
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- ▶ At the regional, national and international level





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# CAPACITY-BUILDING OF THE PUBLIC

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- ▶ *Art. 21 Nagoya:*
    - ▶ Promotion of this Protocol, including its objective
    - ▶ Organization of meetings of indigenous and local communities and relevant stakeholders
    - ▶ Establishment and maintenance of a help desk for indigenous and local communities and relevant stakeholders
    - ▶ Information dissemination through a national clearing-house;
    - ▶ Promotion of voluntary codes of conduct, guidelines and best practices and/or standards in consultation with indigenous and local communities and relevant stakeholders:
    - ▶ Promotion of, as appropriate, domestic, regional and international exchanges of experience
  
  - ▶ *Art. 9 Montreal*
    - ▶ Each Party shall submit to the Secretariat a summary of the activities it has conducted in this matter (every 2 years)
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# CAPACITY-BUILDING OF AUTHORITIES AND CIVIL SERVANTS

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## ▶ *Art. 10 Stockholm*

- ▶ Awareness-raising among policy and decision-makers
- ▶ Training of workers, scientists, educators, and technical and managerial personnel

## ▶ *Art. 19 UNCCD*

- ▶ Training of managers and decision-makers
- ▶ More effective operation of existing national institutions and legal frameworks

## ▶ *Art. 18 CBD*

- ▶ Cooperation in the training of personnel and exchange of experts

## ▶ *Art. 6 UNFCCC*

- ▶ Training of scientific, technical and managerial personnel
  - ▶ Strengthening of national institutions and exchange or secondment of personnel to train experts
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# REGIONAL AND INTERNATIONAL COOPERATION

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- ▶ **Between State Parties at the regional and international level**
    - ▶ Coordination and cooperation between Parties (*Art. 11 Stockholm, art. 15 Rotterdam, art. 3, 8 and 9 UNCCD, art. 5 and 18.1 CBD, art. 22 Cartagena, art. 10.4 Basel and art. 2 Vienna*)
    - ▶ Cooperation in education and awareness-raising at the international level (*art. 19.3 UNCCD, art. 13b CBD, art. 6 UNFCCC, art. 10 Kyoto*)
  
  - ▶ **Between the instrument and other instruments**
    - ▶ Art. 22.2 UNCCD and art. 7.2 UNFCCC
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# FINANCING

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## ▶ Financial resources

- ▶ Each Party shall supply resources to **national activities** aimed at implementing the convention (*art. 13.1 Minamata, art. 13.1 Stockholm, art. 20.1 CBD*)
- ▶ **National, multilateral** and **bilateral** financing (*art. 13.3 Minamata, art. 13.3 Stockholm, art. 4.2 UNCCD*)

## ▶ Financial mechanisms

- ▶ Minamata, Stockholm, UNCCD, CBD, Nagoya, Cartagena, UNFCCC, Kyoto, Montreal

## ▶ References to capacity-building

- ▶ *Art. 13.4 Stockholm, art. 25.3 Nagoya, 28.3 Cartagena, art. 10.3 Montreal*
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# FINANCING

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- ▶ Compliance dependent upon obtainment of financial resources
    - ▶ *Art. 13.2 Minamata, art. 13.4 Stockholm, art. 20.7 UNCCD and art 20.4 CBD*
  
  - ▶ **MINAMATA:** Specific international programme to support capacity-building and technical assistance (*art. 13.6 b) and 13.9)*
    - ▶ Under the guidance of the COP
    - ▶ Hosting institution shall be an existing entity
    - ▶ All Parties and other relevant stakeholders are invited to provide financial resources on a voluntary basis
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# OTHER ISSUES TO CONSIDER

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## ▶ References to:

- ▶ Vulnerable groups
- ▶ Civil society
- ▶ Private Sector

## ▶ Self-assessments of needs and national capacities

- ▶ *Art. 22.3 Nagoya and art. 19.2 UNCCD*

## ▶ Alignment with national / regional priorities

- ▶ *Art. 9 UNCCD*

## ▶ Link with implementation / compliance

- ▶ Capacity-building in national implementation plans (*art. 10.4 and 11 UNCCD*)
- ▶ Taken into consideration to evaluate effectiveness (*art. 22 Minamata*)



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