

PERMANENT COUNCIL



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EXPLANATORY NOTE

SPECIAL SESSION OF THE PERMANENT COUNCIL, “OPPORTUNITIES FOR
COOPERATION IN THE DEVELOPMENT OF LEGAL AND INSTITUTIONAL
FRAMEWORKS FOR ADDRESSING ENVIRONMENTAL CHALLENGES IN THE REGION”

Friday, February 23, 2007

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OBJECTIVE:

The proposed special session’s objective is to identify priority actions that within the framework of the OAS encourage cooperation, the development of regional legal environmental instruments and institutional strengthening. To achieve this, the session will analyze main environmental challenges in the region, particularly multinational challenges, and the response capacity of member states by means of existing legal and institutional instruments.

BACKGROUND:

The Summits of the Americas process initiated in Miami in 1994 defined environmental conservation as one of the priorities for collective action in the Hemisphere and established the development and strengthening of legal frameworks regarding the environment as a major component of the strategies to achieve sustainable development. For instance, in the Quebec Plan of Action, produced at the Summit held in Canada in 2001, governments reaffirmed their commitment to implement multilateral environmental agreements (MEAs) and stressed the need to build synergies among MEAs, to enhance their effectiveness in implementation, and to strengthen international cooperation. The Plan also attached priority to the adoption, implementation and enforcement of national legislation, regulations, standards and policies that provide for high levels of environmental protection.

In December 2006, Ministers and High-Level Authorities on Sustainable Development in the hemisphere adopted the Declaration of Santa Cruz +10, which reaffirms the commitment to promote and strengthen policies, laws and regional cooperation and integration mechanisms, and establishes public participation and democratic governance as major elements for sustainable development. The Inter-American Program for Sustainable Development 2006-2009, adopted at that same meeting, establishes specific courses of action in the area of development of environmental law and policy as core issues for environmental management.

METHODOLOGY:

The special session will include presentations by renowned experts in the field of environment and environmental law, followed by an opportunity for dialogue between member state representatives and guests. As a result of this session, a document will be produced containing the main findings, conclusions and priority actions to be pursued within the framework of the objectives and guidelines established in the Declaration of Santa Cruz +10 and the Inter-American Program for Sustainable Development 2006-2009.

- The first panel will have three 15-20 minute presentations which will provide scientific data on the main regional environmental trends and challenges, particularly in areas of common concern at the regional and sub-regional levels, including shared ecosystems. The speakers will briefly provide an overview of trends and challenges based on sources such as the findings of the United Nations Millennium Ecosystem Assessment and the recent Stern Review on the economics of climate change, among others. This first panel will be the foundation for a dialogue on cooperation and possible responses within the framework of existing legal and policy mechanisms.
- The second panel will have three 15-minute presentations focused on the existing institutional cooperation mechanisms in order to face shared environmental challenges in the Americas, underscoring existing gaps and the potential for institutional strengthening in the region. Some of the issues to be highlighted in this panel include:
 - Regional and sub-regional cooperation approaches and mechanisms for water resources management, pollution, waste transport, and adaptation to climate change, inter alia.
 - Opportunities for cooperation and institution strengthening for the shared management of common environmental problems in countries of the region.
- The third panel will have three 15-minute presentations that will focus on the strengths and weaknesses of existing legal instruments in the Hemisphere, including Multilateral Environmental Agreements (MEAs) and regional cooperation agreements addressing environmental issues. Moreover, there will be a discussion of potential responses to current challenges and trends through the development and strengthening of international environmental law, including legal and policy instruments to strengthen environmental management and supporting institutions, along with a discussion of the opportunities within the framework of the OAS for development and the implementation of inter-American legal instruments for environmental protection. Specifically, the panel will address the following:
 - Strengths and weakness of environmental agreements and instruments currently in force in the region.
 - The potential of international legal frameworks for addressing environmental challenges in the region.
 - Public participation and access to information as key elements in the development of environmental law in the region.