



“1st Africa Colloquium on Environmental Rule of Law- Towards Strengthened Environmental Governance, Justice and Law”

14-16 October 2015, United Nations Offices, Nairobi, Kenya- Conference Room One

Concept Note and Agenda

The importance of promoting the rule of law related to sustainable development and environmental sustainability has gained recognition in recent years, following the outcomes of the Rio+20 Conference and the UNEP World Congress on Advancing Justice, Governance and Law for Environmental Sustainability in 2012. In February 2013, UNEP’s Governing Council adopted the first internationally negotiated document to establish the term ‘environmental rule of law’ which was reinforced by Resolutions on illegal wildlife trade and access to justice in environmental matters at the first ever United Nations Environment Assembly (UNEA) in June 2014.

Promoting the rule of law requires measures to ensure adherence to the principles of supremacy of the law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, public participation in decision-making, access to information, access to justice, legal certainty, avoidance of arbitrariness, and procedural and legal transparency. The **1st Africa Colloquium on Environmental Rule of Law** is organized to define and promote such measures in the field of the environment – including the application of Principle 10 of the Rio Declaration from 1992 - as well as to enhance the capacity of the legal and auditing communities to develop and implement environmental rule of law.

The Colloquium which is organized by UNEP in partnership with the Office of the Chief Justice of Kenya, Konrad Adenauer Foundation and the Judiciary Training Institute of Kenya (JTI) brings together judges, prosecutors, auditors, government representatives and other related authorities of the environmental, legal and enforcement community and the institutions they represent and representatives of Non-Governmental Organisations to this inaugural Colloquium to help develop and implement environmental rule of law and to define a new future for environmental justice, governance and law in the African Region and beyond.

Outcome of the Colloquium will be recommendations on areas and priorities for action to promote the development and implementation of environmental rule of law in the African Region and the establishment of a course of action for the implementation of these recommendations. This outcome may also include concrete proposals on how to go about implementing Principle 10 in Africa, including through regional and/or sub regional legal instruments as already developed in other regions of the world. The Colloquium will also lay the foundation for the design and development of guidance/knowledge tools to facilitate the development and implementation of environmental rule of law at the global and other levels.

Languages of the Colloquium: English and French



Konrad
Adenauer
Stiftung



**‘1st Africa Colloquium on Environmental Rule of Law – Towards Strengthened
Environmental Governance, Justice and Law’**

United Nations Offices, Nairobi, Kenya- Conference Room One

PROGRAMME

Day 1: Wednesday 14 October 2015

8.00 – 9.30

Registration of participants

Ceremonial Opening

10.00 – 10.30

Welcoming remarks:

Mr. Achim Steiner, Executive Director, UNEP

Dr. Arne Wulff, Director Rule of Law Program for Sub-Saharan Africa, the
Konrad Adenauer Stiftung

Official opening remarks:

Hon. Dr. Willy Mutunga, Chief Justice of Kenya

Session 1:

**Environmental Rule of Law and Sustainable Development: Public
Participation, Human Rights and Accountability**

10.30 – 13.00

Invited speakers will make brief and direct (maximum of 5 to 8 minutes
each) statements on the most critical aspects of rule of law in the field of
the environment from their personal, national, regional and stakeholder
perspective; each segment of speakers is to be followed by interactive
discussions.

Moderator: *Justice Philip Waki*, Judge, Court of Appeal, Kenya, and
Member, UNEP International Advisory Council on Environmental Justice

Hon. Justice Valesius Victor Thomas, Ag. Chief Justice of Sierra Leone

Hon. Justice Emmanuel Ugirashebuja, President, East African Court of
Justice

Hon. Issoufou Yacouba, Magistrat, Cour D'Appel de Niamey, Niger

Hon. Swatanter Kumar, Chairperson, National Green Tribunal of India

Prof. Oliver Ruppel, Director, Development and Rule of Law Programme
(DROP), University of Stellenbosch, South Africa

13.00 – 15.00

Lunch Break



Session 2:

Criminal, Civil and Administrative Enforcement in the field of environment: Challenges and lessons learnt from the African perspective

Invited speakers will make brief and direct (maximum of 5 to 8 minutes each) statements on the most critical aspects of rule of law in the field of the environment from their personal, national, regional and stakeholder perspective; each segment of speakers is to be followed by interactive discussions.

15.00 – 16.30

Segment 1: Institutional perspectives of the development and implementation of environmental rule of law

Moderator: *Mr. Scott Fulton*, President, Environmental Law Institute, and member, UNEP International Advisory Council for Environmental Justice

Hon. Mr. Ravi Raj Yerrigadoo, Attorney General of Mauritius

Hon. Justice Fredrick Egonda Ntende, Court of Appeal, Uganda

Ms. Haddijatou Jallow, Executive Chairperson, Environment Protection Agency, Sierra Leone

Hon. Ignatius Taminang Atte, Advocate General of the North West Region of Cameroon

16.30 – 18.00

Segment 2: Accountability, transparency and liability in the context of environmental rule of law

Moderator: *Prof. Muhammed Tawfiq Ladan*, Professor of Law, Ahmadu Bello University, Zaria, Nigeria

Mrs. Manako Leocadia Ramonate, Assistant Auditor General of Lesotho

Hon. Justice Kanagasabapathy Sripavan, Chief Justice of Sri Lanka

Mr. Justus Nyang'aya, Country Director, Amnesty International Kenya

Hon. Patricia Mugorenejo Hajabakiga, Member of Parliament, East African Legislative Assembly

Prof. Patricia Kameri Mbote, Dean, School of Law, University of Nairobi, Kenya

18.30 – 20.00

****Cocktail reception hosted by UNEP, VIP Lounge (Main Concourse)* ***

Day 2: Thursday 15 October 2015

Session 3:	Principle 10 and the Bali Guidelines: Access to Information, Public Participation and Access to Justice in Environmental matters: The African Perspective
9.00 – 9.15	Opening Remarks for Day 2: <i>Mr. Jorge Laguna-Celis</i> , Secretary a. i., Secretariat of Governing Bodies and Stakeholders, UNEP
9.15 – 9.45	Introduction to the Bali Guidelines: <i>Ms. Sylvia Bankobeza</i> , UNEP Division for Environmental Law and Conventions
9.45 – 10.30	Principle 10 and latest international and regional developments relevant for Africa: <i>Mr. Benson Ochieng</i> , Executive Director, Institute for Law and Environmental Governance
10.30 – 11.30	The Environmental Democracy Index, a tool to measure procedural rights in an environmental context: <i>Mr. Jesse Worker</i> , World Resources Institute
11.30 – 12.00	Regional Cooperation to Implement Principle 10: The Latin America and Caribbean Principle 10 Legal Instrument, <i>H.E Ambassador Konrad Paulsen</i> , Embassy of Chile in Nairobi
12.00 – 14.00	<i>Lunch Break</i>
14.00 – 15.00	Guidebook to the Bali Guidelines: Public Participation, Access to Information and Access to Justice in environmental matters – good practices and lessons learned; <i>Mr. Stephen Stec</i> , Central European University
15.00 – 16.30	Regional Cooperation for Principle 10 in Africa, opportunities and challenges; <i>Interactive discussion guided by Ms. Elizabeth Mrema</i> , Director, Division for Environmental Law and Conventions UNEP
16.30 – 17.00	<i>Summary of the Chair</i>

Day 3: Friday 16 October 2015

9.00 – 9.30

Opening Remarks for Day 3:

Ms. Elizabeth Maruma Mrema, Director, Division for Environmental Law and Conventions, UNEP

Key Note Address:

Hon. Prof. Githu Muigai, Attorney General of Kenya

Session 4:

Dealing with obstacles to effective investigation, prosecution and adjudication of illegal wildlife trade

Invited speakers will make brief and direct (maximum of 5 to 8 minutes each) statements on the status of illegal wildlife trade from their personal, national, regional and stakeholder perspective; each segment of speakers is to be followed by interactive discussions

9.30 – 10.45

Segment 1: Challenges to effective investigation, prosecution and adjudication of illegal wildlife trade

Moderator: *Ms. Shamini Jayanathan*, Independent Legal Expert and Consultant

Hon. Tsokolo Makhetha KC, Attorney General of Lesotho

Hon. Justice Mike Chibita, Director of Public Prosecutions, Uganda

Mr. Stephen Chacha Tumbo, Regional Coordinator, World Society for the Protection of Animals (WSPA) BEYOND 2015, Tanzania

Hon. Martha Karua, former Minister of Justice and Constitutional Affairs, Kenya

10.45 – 12.00:

Segment 2: Mechanisms for strengthening enforcement to curb illegal wildlife trade

Moderator: *Ms. Shamini Jayanathan*, Independent Legal Expert and Consultant

Hon. Franklyn Bai Kargbo, Attorney General and Minister of Justice, Sierra Leone

Hon. Flavia Munaaba Nabugere, Minister of State for Environment Uganda



Hon. Eddie Cross, Member of Parliament, Zimbabwe

Dr. Gomolemo Moshoeu, CEO South African Judicial Education Institute

Mr. Bonaventure Thobias Baya, Director General, National Environment Management Council, Tanzania

12.00 – 14.00

Lunch Break

Session 5:

Summary and Conclusions

14.00 – 15.30

Presentation of key-findings and closing

Hon. Justice Philip Waki, Judge, Court of Appeal, Kenya, and Member, UNEP International Advisory Council on Environmental Justice

Ms. Elizabeth Maruma Mrema, Director, Division of Environmental Law and Conventions, UNEP
