



International Council of Environmental Law

Conseil international du droit de l'environnement

Consejo internacional de derecho ambiental



Secretariat:

Pascual Madoz Institute

Carlos III University Madrid

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ICEL REPORT

2017-2022
to 2023
and beyond

ICEL: A Brief History

ICEL was established in 1969 in New Delhi by Wolfgang Burhenne and Nagendra Singh, President of the International Court of Justice, following the call of the IUCN General Assembly at its meeting in India in 1969, with the initial Governors being Wolfgang Burhenne (Germany), Homer Angelo (USA), Cyrille de Klemme (France), Nagendra Singh (India), Baba Dioum (Senegal) and Charles van der Elst (Belgium).

ICEL's major achievements include substantive work resulting in the UN World Charter for Nature (UN General Assembly resolution 37/7, 28 October 1982) the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), the Bonn Convention on Migratory Species, and the Convention on Biological Diversity and other regional and international treaties. Françoise Burhenne-Guilmin, was for many years IUCN Legal Officer and Head of the IUCN Environmental Law Center. She was instrumental supporting the work of ICEL and the making of modern environmental law.

Ambassador Amado Tolentino, a founder of environmental law in the Philippines, succeeded Nagendra Singh as Co-Executive Governor. He played an essential role in the plans to continue ICEL in 2017.

A brief history of ICEL and a link to Barbara J. Lausche's book, *Weaving a Web of Environmental Law* (2008), are available at ICEL's website: [History of ICEL – ICEL \(icelinternational.org\)](https://www.icelinternational.org/history-of-icel/).



Wolfgang Burhenne



Françoise Burhenne-Guilmin

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Presentation

Dear ICEL Members, Supporters, and Friends:

On behalf of the Board of Governors of the International Council of Environmental Law, and with memories of our founders Dr. Wolfgang Burhenne and Justice Nagendra Singh, we bring you the recent history of ICEL – 2017-2022 – building upon ICEL’s five decades in environmental law-making.

ICEL’s Executive Governor, Dr. Wolfgang Burhenne, a pioneer of environmental law and key architect of the modern environmental law movement, passed away on 6 January 2017 at the age of 92. Following his memorial, senior ICEL members gathered in Bonn to authorize the reorganization of ICEL. We are pleased to report to you the diligent work of the past six years to restructure ICEL.

At ICEL’s 50th anniversary, its Board of Governors met in Madrid to authorize its reorganization, to enable ICEL to continue its work with nations to advance environmental laws to cope with Earth’s ecological crises. The gathering crises of the planet are amply summarized in UNEP’s scientific synthesis report entitled “Making Peace with Nature.”¹

Environmental law-making is demanded of us if we all are to avert the impacts of these crises. Your contributions, as distinguished environmental jurist, supporter, or friend, have never been more urgently needed.

2023 is the year that ICEL is fully relaunched in its new design, continuing the work of the world’s first and thus oldest assembly of jurists devoted to building the field of environmental law. In 1969, when ICEL was founded in New Delhi, this field of law did not exist. International Environmental Law today now provides the essential framework for addressing climate change, biodiversity loss and pollution. Nationally, environmental law provides the rapidly growing, but not fully effective, foundation for implementing international norms and for pioneering new avenues toward stewardship of Earth’s living systems. Your leadership, personally, and collectively through ICEL, has been instrumental in this success. Thank you and congratulations!

2023 is the year all nations face their obligations to ensure observance of the Human Right to a “clean, healthy and sustainable environment”, adopted by the United Nations General Assembly (UNGA), resolution 76/300, adopted 28 July 2022. At the 1972 Stockholm Conference on the Human Environment, attended by Wolfgang Burhenne and Françoise Burhenne-Guilmin (where they recruited new members, including Prof. Nicholas A. Robinson), nations agreed that people have a fundamental right to “an environment of a quality that permits a life of dignity and well-being.” Since this soft law formulation, in 50 years nations have come to recognize that all Human Rights are founded on the Human Right to the Environment. In 2015, all nations unanimously agreed on the objectives to realize this right through adopting the 17 Sustainable Development Goals (SDGs). The Convention on Migratory Species praised Wolfgang Burhenne’s work at the 50th anniversary Stockholm Meeting plenary. CMS is an important contributor to attaining SDG 15.

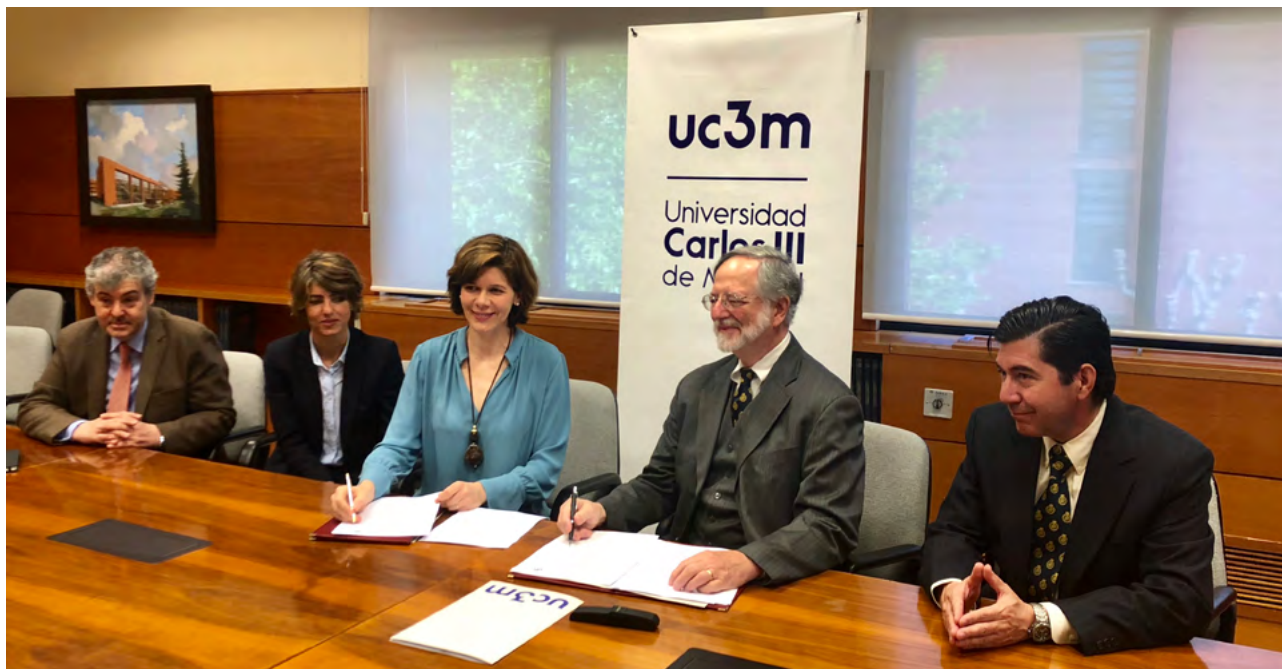
2023 is a critical year preparing for the 2024 UN Summit of the Future, an opportunity for “reinvigorating multilateralism, boosting implementation of existing commitments, agreeing on concrete solu-

1 <https://www.unep.org/resources/making-peace-nature>

tions to common challenges and restoring trust among Member States”, UNGA resolution 76/307, adopted 8 September 2022. The convening of this Summit is a recognition that collective well-being, safety, security, and prosperity are deeply intertwined and that the fundamental purposes and principles of the UN Charter are at stake. The implementation of agreed frameworks, including the 2030 Agenda and the SDGs and the Addis Ababa Action Agenda for financing sustainable development, as well as the United Nations Framework Convention on Climate Change and its Paris Agreement, and the newly agreed Global Biodiversity Framework, all require legal principles and tools.

2023 is also the year UN members states came together, adopting on 29 March 2023, by consensus, UNGA resolution 77/276 requesting an advisory opinion from the International Court of Justice (ICJ) on the obligations of States in respect of climate change, a milestone in international environmental diplomacy. The resolution specifically requests the ICJ to render an opinion on the obligations of States under international law to ensure the protection of the climate system from anthropogenic emissions of greenhouse gases. The resolution further requests the Court’s opinion on the legal consequences under obligations for States where they, by their acts and omissions, have caused significant harm to the climate system with respect to States, and in particular, small island developing States, and people of present and future generations.

In 2023 the UN will also consider the possibility of convening and the scope of a high-level meeting, tentatively entitled “Earth Assembly”, to be held in 2024, “so that an evolving non-anthropocentric or Earth-centred paradigm continues to reinforce multilateralism through the discussion of alternative holistic approaches based on diverse world views that may contribute to the implementation of the



ICEL Executive Governor, Prof. Nicholas A. Robinson and Universidad Carlos III Madrid Vice-Rector for Institutional Relations and Sustainable Development, Prof. Maria Luisa González-Cuéllar Serrano sign the cooperation agreement between ICEL and UC3M. Under agreement, the ICEL International Secretariat was established at UC3M as a Center affiliated to the Pascual Madoz Institute of Spatial Planning, Urbanism and the Environment.



ICEL Executive Governor Nicholas A. Robinson and ICEL Chancellor Justice Antonio H. Benjamin at the IUCN World Congress in Marseille 2021.

2030 Agenda for Sustainable Development and beyond,” UNGA resolution 77/169, passed 14 December 2022.

ICEL’s tasks today continue to be to elaborate the global systems of environmental rights and responsibilities and law for stewardship of life throughout Earth’s biosphere. This is no small task, but through your work – in partnership with many others - accomplishments of the past 50 years demonstrate that it is possible. The United Nations Environment Assembly meets biannually in Nairobi, and ICEL participates actively, just as it has in every year since the General Assembly established the UN Environment Programme (UNEP) through Wolfgang Burhenne, Donald Kaniaru, Victor Tafur, Antonio Benjamin and others. UNEA is elaborating the global regimes for environmental stewardship. UNEA’s latest initiative is to launch the negotiations for legally binding instrument to control pollution by plastics, and ICEL is preparing recommendations for the negotiations to address the legacy of plastic waste in landfills across virtually all nations. ICEL is also working on UNEA’s initiative to address the Nitrogen cycle.

This report will inform you about how ICEL has restructured itself in order to share the expertise of its members for the next 50 years. To do so, ICEL welcomes your sustained support and participation. support and participation.

Each ICEL member in good standing in 2017, is being honored for their past accomplishments in our field and invited to accept ICEL appointment as a *Distinguished Jurist in Environmental Law*, and will be invited to contribute to ICEL’s on-going and future programs and projects. New supporters and friends are needed as well to co-create the global systems for stewardship of life throughout Earth’s biosphere.

This report brings you up to date on: (i) ICEL’s reorganization and governance; (ii) ICEL’s substantive projects to advance environmental law in recent years, while it was reorganizing; (iii) ICEL’s agenda of consultations and studies; (iv) ICEL’s representatives and panel of advisors; and (v) ICEL’s invitation to you and others to become ICEL Jurists, supporters and friends, contributing to ICEL’s education and capacity-building endeavors through the Coalition For Ecological Law.



The ICEL International Secretariat was established at UC3M in April 2019, (from the website- Secretariat of ICEL – ICEL (icelinternational.org))



At Universidad Carlos III Madrid, November 2019, Professor Eckard Rehbinder and Reinhard Krapp, ICEL Representative in Bonn



Rebuilding ICEL – Secretariat Relocates to Madrid – A New Design Fit for Purpose

2017-2023 Program

ICEL's Board of Governors has addressed two themes in the past five years. First, to sustain ICEL's mission to provide legal expertise towards the progressive development of environmental laws (see part II). Second, to restructure ICEL's membership and governance to be better equipped to meet the Earth's depending environmental crises (see part I). This timeline summarizes the measures taken to reposition ICEL to advance global ecological stewardship for the coming decades.

2017 Meeting of the ICEL Board of Governors in Paris. Adopting ICEL revised by-laws to perpetuate ICEL. Participants: Donald Kaniaru, Eckard Reh binder, Nicholas Robinson, Antonio Benjamin, Nilufer Oral and ICEL Co-Executive Governor Ambassador Amado Tolentino from Philippines via link.

2018 Reorganization begins. Prof. Victor Tafur was appointed Associate Executive Governor and UN Representative in New York. UN ECOSOC Roster Status as an international organization of experts renewed, and other UN Observer status reestablished by Prof. Tafur. Donald Kaniaru ratified as Representative to UNEP in Nairobi. Milena Bellini-Sheppard ratified as Representative to UN in Geneva. Process beings to find a host institution for ICEL's International Secretariat. Prof. Teresa Parejo joins to work on this task. ICEL's membership in IUCN confirmed as an international non-governmental organization and dues paid.

April 2019 Meeting in Madrid to negotiate a cooperation agreement between ICEL and Carlos III de Madrid University (Spain) (hereinafter UC3M). Under a General Cooperation Protocol and its Annex, the ICEL International Secretariat was established at UC3M as a Center affiliated to the Pascual Madoz Institute of Spatial Planning, Urbanism and the Environment.² Prof. Teresa Parejo was named Director of the ICEL's Secretariat in Madrid at UC3M. A joint ICEL/UC3M" Monitoring Committee was established under the Protocol.

July 2019 Meetings by Nicholas Robinson, Koh Kheng Lian and Milena Bellini-Sheppard with UN and Swiss officials and the IUCN Director and staf regarding ICEL matters. ICEL hosts its annual dinner honoring members of the UN International Law Commission (ILC).

November 2019 At ICEL's 50th anniversary, members met in Madrid to elect a Board of Governors, with geographic and gender balance, for staggered 3-year terms to ensure rotation. Spanish is adoted along with English and French as official ICEL languages. See box below.

December 2019 ICEL welcomes donation of 40,000 Euros (2 gifts of 20,000 each deposited with UC3M) jointly from Prof. Koh Kheng Lian and KJ Lim in memory of their parents Mr. and Mrs. Lim Peng Huan. Nicholas A. Robinson also made a gift for ICEL's work on artificial intelligence and blockchain applications for conservation (of US\$ 10,000 deposited with UC3M).

2 See [A New Secretariat in Madrid – ICEL \(icelinternational.org\)](#).

2020 Received grant for Aptenia-Stiftung Foundation (Basel)³ to support the work of ICEL during its reorganization (100,000€ deposited with UC3M).

2020 Prof. Montserrat Abad Castelos was named Co-Director of the ICEL's Secretariat in Madrid at UC3M.

December 2020 ICEL members and the Board of Governors formally decide to reconstitute in Spain as an association under the Organic Law 1/2002, regulating the Law of Association, and its complementary norms.

May 2021 ICEL's juridical status as an international non-governmental organization was approved in Spain as *Asociación Consejo Internacional de Derecho Ambiental-ICEL*, with legal address at: Avenida Menéndez Pelayo No.67, Local 6, Edificio Torre del Retiro 28008 Madrid, España.

September 2021 Marseille, France, Assembly and Board meeting. In person attendees included Nicholas A. Robinson, Antonio Benjamin, Christina Voigt, Montserrat Abad Castelos, Reinhard Krapp, Donald Kaniaru and Victor Tafur.

February 2022 ICEL received the tax authorization number.

October 2022 Oslo, Norway, ICEL holds its annual Assembly and Board meeting at the Law Faculty of the University of Oslo.

March 2023 To support ICEL, senior ICEL members established the Consortium for Ecological Law, Inc., to raise fund in the US for advancing international environmental law under New York Law. Authorized by the Board in Oslo in 2023 and being implemented in 2023.

March 2023 Hybrid Meeting of Board of Governors to authorize administrative and financial matters in its seat in Madrid, elect interim Secretary, appoint Prof. Victor Tafur as ICEL's Chief Administrative Officer, and confirm cooperation with the Consortium for Ecological Law in NY.

October 2023 ICEL to convene the annual Assembly and Board meeting in Madrid at UC3M.

3 See <https://aptenia.org>. The Aptenia Foundation is a private non-profit organization. It is active in habitat and landscape conservation and animal protection.



Hybrid” meeting of the Board of Governors of ICEL in Marseille (Hotel Marriott Marseille Prado Velodrome), September 4.



At Stockholm@50, June 2022, Elizabeth Maruma Nrema, Executive Secretary CBD and Donald Kaniaru, ICEL Representative in Nairobi.

ICEL MEMBERS OF THE BOARD OF GOVERNORS⁴

Justice Antonio Benjamin (Brazil) – Chancellor (term ends 2024), Judge of the High Court of Brazil (*Superior Tribunal de Justiça*), former Chair, IUCN World Commission on Environmental Law

Prof. Nicholas A. Robinson (U.S.A.) – Executive Governor of ICEL (term ends 2025) Emeritus Professor, Elisabeth Haub School of Law, New York

Prof. Monserrat Abad Castelos (Spain) – Vice-Chancellor (term ends 2024), Professor in Public International Law, Deputy Vice-Rector for Teaching Staff Universidad Carlos III Madrid (UC3M)

Prof. Teresa Parejo (Spain) – Executive Vice-President & Treasurer (term ends 2025) Head Sustainability Department, IBERIA, and Professor on leave, UC3M

Prof. Victor Tafur (Colombia) – Secretary (term ends 2025) (UN HQ Representative), Adjunct Professor, Director UN Diplomacy Programme, Elisabeth Haub School of Law at Pace University

Prof. Christina Voigt (Norway) (*ex-officio*, as IUCN WCEL Chair), University of Oslo Department of Public and International Law, and Environmental Coordinator for Pluricourts-Center of Excellence

Prof. Nilufer Oral (Turkey) – (term ends 2024), Member UN International Law Commission; Director of the Center of International Law (CIL) at the National University of Singapore

Prof. Ben Boer (Australia) (term ends 2023) (Chair, ICEL Publications Committee) Emeritus Professor, University of Sydney and Visiting Professor, Wuhan University (China)

Prof. Malcolm Forster (U.K.) (term ends 2023), Formerly Partner, Freshfields Bruckhaus Deringer, and Honorary Professor of International Law, Nottingham Law School, U.K.

Prof. Koh Kheng Lian (Singapore) (term ends 2023) (Representative to ASEAN), Emeritus Professor and Former Director of the Asia-Pacific Center for Environmental Law (APCEL), National University of Singapore

Rose Lesley Kautoke, Esq. (Tonga) (term ends 2026), Attorney General's Office, Kingdom of Tonga

Prof. Patricia Kameri-Mbote (Kenya)* (term ends 2022), Faculty of Law, University of Nairobi. Director Law Division UNEP

Reinhard J. Krapp (Germany) (term ends 2022)* (Representative in Bonn), Minister and diplomat, retired, Federal Republic of Germany

Prof. Eckard Rehbinder (Germany) (term ends 2026) (Advisor of ICEL transitions post 2016), Emeritus Professor, Goethe-Universität Frankfurt am Main, Germany

⁴ Since 2017, these sixteen individuals have guided the organization of ICEL. Stephen McCaffrey (USA), Andrew Waite (UK), Grettel Aguilar (Costa Rica), Gustavo Alanis (Mexico), Elisabeth Maruma Mrema (Tanzania), and others, have provided invaluable guidance as well. All worked with founder Wolfgang E. Burhenne.

Prof. Alexander Solntsev (Russia) (term ends 2026), Head of Department of International Law of the People's Friendship University in Russia (RUDN), Moscow

Prof. Zhou Chen (China)*⁵ (term ends 2022), Professor Xiamen University Law School and Chief-Secretary in International Environmental Law of the China Environmental and Resources Law Association



Photo. ICEL Executive Governor Nicholas A. Robinson and ICEL Vice-Chancellor Monserrat Abad Castelos and ICEL Associate Executive Governor and UN Representative in NY, Victor M. Tafur, at the IUCN World Congress in Marseille 2021.

Over 10.000€ Grants by Universidad Carlos III Madrid to Support ICEL

Led by Vice-Chancellor Montserrat Abad Castelos, the ICEL Secretariat has secured over 10.000€ in grants for the preparation and organization of academic and capacity-building events. In 2021, 5.500€ grant for a congress; in 2022, 3.300€ grant for a workshop (see section II). In 2023, to date, a 1.500€ grant pledged for an event in the fall 2023.

⁵ At the next meeting, scheduled for October 2023 in Madrid, the ICEL Nominating Committee recommends that Prof Reihard Krapp be re-elected for a new term, ending 2027. Patricia Kameri-Mbote (Kenya) and Prof. Zhou Chen (China), at the 7 October 2020 meeting in Oslo, were nominated by the Board to become ICEL members (as they were unable to sign the initially filed documents), to be ratified at the October 2023 Assembly in Madrid, and may be elected to join the Board for a term, ending 2027.



Photo. ICEL Executive Governor Nicholas A. Robinson and ICEL Associate Executive Governor and UN Representative in NY, Victor M. Tafur, at the IUCN World Congress in Marseille 2021.



Photo. ICEL Executive Governor Nicholas A. Robinson at the IUCN World Congress in Marseille 2021.



At Hainan University, October 2019, ICEL Executive Governor Nicholas A. Robinson and Professor Wang Xi



II

Contributions To Strengthening
Environmental Law Since 2017

The past five years have witnessed significant advances in the global framework of environmental laws in furtherance of the SDGs and for restoring the ecological wellbeing of the Earth. The urgency for renewed legal measures to heal Earth is evident in the UNEP Report “Making Peace with Nature”. These gains strengthen the intergenerational foundation for the future. Recognizing the Human Right to the Environment instills rigor into all international environmental agreements as well as through national and local ecological laws. Protection of the environment in relation to armed conflict is now a cardinal norm of International Humanitarian Law. The Covid-19 Pandemic has underscored the existential importance of bestowing and sustaining biological diversity through cooperation programs of the Convention on Biological Diversity (CBD). The UN Environmental Assembly made chemical externalities the focus of the ongoing negotiation from an agreement on plastics. This timeline illustrates the measures ICEL has undertaken to support these gains.

2018 (cont. 2019) Shared the ICEL/IUCN Draft Covenant on Environment and Development⁶ with the project for a *Global Pact for the Environment*⁷ followed by UNGA participation in NY and Nairobi. Antonio Benjamin, Donald Kaniaru, and Victor Tafur participated in the on the proposed Global Pact for the Environment (see below). ICEL members contributed to its written submissions.

2018 (cont. 2019) ICEL contributed to the working group established by the UNGA to consider a report that identifies and assesses possible gaps in international environmental law and environment-related instruments with a view to strengthening their implementation, pursuant to UNGA resolution 72/277 entitled “Towards a Global Pact for the Environment” (10 May 2018), which resulted in the adoption of UNGA resolution 73/333, adopted 30 August 2019, “Follow-up to the report of the ad hoc open-ended working group established pursuant to General Assembly Resolution 72/277” which endorsed the recommendations from the Nairobi consultations. ICEL submitted written contributions and participated in side-events and in all sessions in New York and Nairobi.⁸

July 2018 ICEL held its annual dinner honoring members of the UN International Law Commission, at the 70th ILC Anniversary in NY, with special guest, former ILC member and Haub awardee Stephen McCaffrey for UN Agreement on Non-Navigational Uses of International Watercourses (New York, 1997). Hosted by Prof. Nicholas Robinson. Organized with assistance from ICEL Re-

6 Draft International Covenant on Environment and Development : implementing sustainability - resource | IUCN

7 ICEL’s also sponsored the book *Gaps in International Environmental Law* by M.A. Tigre, detailing the *travaux préparatoires* on the consultations “Towards a Global Pact for the Environment” (ELI, 2019). See [Gaps in International Environmental Law: Toward a Global Pact for the Environment | Environmental Law Institute \(eli.org\)](#)

8 Organizational session in New York (September 2018) and 3 substantive sessions in Nairobi (January, March and May 2019).

presentative in Geneva, Milena Bellini-Sheppard (from Geneva) and ICEL UN Representative in NY, Victor Tafur in New York.

December 2018 Published the first commentary on the Secretary-General 's Report on Gaps in International Environmental law report⁹ and held briefing at the UN for over 100 Delegates (archived by UN TV),¹⁰ organized with France, Senegal and others, at UN Headquarters in New York.

2018 (to date) Participating in UNGA negotiations for the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). BBNJ team lead by ICEL Representative for the Ocean, Hiroko Muraki-Gottlieb.

March 2019 Participated in the 4th United Nations Environment Assembly in Nairobi. In attendance, Donald Kaniaru, Representative to UNEP in Nairobi, and Prof. Victor Tafur, UN Representative in New York.

July 2019 ICEL participated in the IUCN Regional Conservation Forum for Europe, North and Central Asia held in Rotterdam, the Netherlands, from the 1st to the 3rd of July 2019, to prepare the IUCN Congress in Marseille in 2020.¹¹



ICEL Board of Governors Members Teresa Parejo, Malcolm Forster, Reinhard Krapp and Victor M Tafur with IUCN's Enrique Lahmann at the IUCN Regional Conservation Forum for Europe, North and Central Asia held in Rotterdam in July 2019, to prepare the IUCN Congress in Marseille in 2020.

⁹ See NOTE UN.pdf (pace.edu); see also Home - Global Pact for the Environment - Research Guides at Elisabeth Haub School of Law, Pace University.

¹⁰ See United Nations WebTV at <http://webtv.un.org/watch/strengthening-implementation-of-international-environmental-law/5977795659001/?term=>

¹¹ See Regional Event in Rotterdam – ICEL (icelinternational.org).



ICEL member Christina Voight elected Chair of the IUCN World Commission on Environmental Law (WCEL) at the IUCN World Conservation Congress held in Marseille from 3-11 September 2021.

November 2019 ICEL and UC3M, Pascual Madoz Institute, hosted an international symposium “*The Future of Migratory Species Laws - In An Age of Changing Climates*” in Madrid to inaugurate the new opening of the International Secretariat in Madrid.

December 2019 ICEL and UC3M held a joint seminar as a side event of the UN Conference on Climate Change, COP25, in Madrid. The event, which was held at UC3M’s *Puerta de Toledo* Campus, revolved around two panels: “*The Law for Future Generations*” and “*Decarbonizing the Earth*”. WCEL- IUCN and the Pascual Madoz Institute were co-sponsors of the event.¹²

2020 (cont. 2021) International webinars on Zoonosis, COVID-19, and Nature Conservation Law with for IUCN WCEL.¹³ ICEL promoted discussion on “One World, One Health”: Legal Preparations to Avert a Pandemic.

October 2020 UN Side-event Briefing on Strengthening Cooperation for International Environmental Law, Co-sponsored by the Missions of Costa Rica and France to the UN in New York.¹⁴

December 2020 Webinar “Towards the Human Environment + 50 Conference: Ambitions and Limits”, online event co-organized by UC3M and ICEL. The event’s main feature was an interview with the Executive Governor of ICEL and a round table made up of experts to assess the role of the States; international governmental organizations; NGOs / civil society; and companies.¹⁵

September 2021 Participation in the IUCN World Conservation Congress in Marseille, France,¹⁶ and 2-day side event organized and cosponsored by IUCN WCEL and the Normandy Chair for Peace (NCP) at Marseille’s prestigious MUSEUM, entitled “Peace with Nature: Laws for Ecological Resilience.”¹⁷ ICEL proposed, participated in contact groups, and helped secure adoption of various Motions to spur policy reform including, addressing the climate crisis, inte-

¹² See [Pathways to the Future: The Law for Next Generations and Scenarios for Decarbonizing the Earth – ICEL \(icelinternational.org\)](https://icelinternational.org).

¹³ See [COVID-19 – How Do We Prevent the Next Outbreak? – ICEL \(icelinternational.org\)](https://icelinternational.org).

¹⁴ UN Side-Event Briefing on Strengthening Cooperation for International Environmental Law – ICEL (icelinternational.org).

¹⁵ Webinar “Towards the Human Environment + 50 Conference: Ambitions and Limits – ICEL (icelinternational.org).

¹⁶ See ICEL participates in the World Conservation Congress 2021, Marseille, 3-11 September 2021 – ICEL (icelinternational.org).

¹⁷ See ICEL CO-SPONSORS THE SYMPOSIUM “PEACE WITH NATURE: LAWS FOR ECOLOGICAL RESILIENCE” – ICEL (icelinternational.org).

grating policies to tackle the triple climate-biodiversity-pollution crises, incentivising renewable energy and rejecting fossil-fuel subsidies, and biodiversity and zoonosis renouncing the Doctrine of Discovery, among others¹⁸.

November 2021 ICEL and the UC3M held an international Congress under the title “*Towards a Global Legal Framework in Harmony and Peace with Nature*”, in a hybrid format.¹⁹

February and March 2022 Organized webinars side-events with the University of Nairobi (with Prof. Collins O. Odote, CASELAP), and participated at UNEA-5.2 and 50th anniversary of UNEP in Nairobi, February and March 2022.²⁰ UNEP representatives and stakeholders, as well as UNEP and UNEA delegates, including the High Commissioner of Pakistan, participated in the events.

April 2022 Side Event on Earth Day April 22, at UN with NCP and UN French Mission in NY.

April 2022 Seminar at Mohonk Mountain House with the UN-Mandated University for Peace in Costa Rica (UPEACE), and the Lenape Center, representing the indigenous First Nation and Lenapehoking (where the UN is now situated), and the Normandy Chair for Peace (NCP) on “Making Pace with Nature” with Tony Oposa and Lenape Center.

April 2022 Event co-organized with the Normandy Chair for Peace at the UN Millenium Hilton on the Good Stories Movement with Tony Oposa (Phillipines), with participation of the UN French Mission in NY.

June 2022 Participated and hosted a side-event seminar on “Making Peace with Nature” at observance of the 50th Stockholm Conference on the Human Environment, in Sweden.²¹ On June 1, ICEL and the NCP organized an Invitational Consultation on Strengthening International Environmental Law, with recommendations of the International Military Council on Climate and Security. Both ICEL Nairobi Representative Donald Kaniary and ICEL Executive Governor Nicholas A. Robinson attended the 1972 Stockholm Conference and the 2022 50th commemoration.

2022 Participation in UNGA deliberations on adopting the Human Right to the Environment (UN Representative in NY, Prof. Victor Tafur)

2022 Participated in the annual Meetings the International Renewable Energy Agency (IRENA) in Abu Dhabi annually – Represented by Prof. Shakeel Kazmi.

October 2022 Participated and co-sponsored of the Oslo University International Conference on Environmental Law in Norway October 2023.

October 2022 Side-event at UN with France, Costa Rica, Morocco, and UPEACE and NCP on the Judicial Interpretation of the UN Human Right to the Environment, with Justice Nambitha Dambuza from South Africa, Justice Brian Preston from NSW Australia and Prof. Nicholas A. Robinson, ICEL Executive Governor.

¹⁸ List of Motions | IUCN World Conservation Congress 2020 (iucncongress2020.org)

¹⁹ See *Towards a Global Legal Framework in Harmony and Peace with Nature – 19 November 2021 – ICEL* (icelinternational.org).

²⁰ See *Beyond UNEP’s 50th Anniversary: Attaining the SDGs – ICEL* (icelinternational.org).

²¹ See *ICEL at United Nations STOCKHOLM+50 – ICEL* (icelinternational.org).

November 2022 International Workshop in Madrid “Protection of the Environment in Times of Armed Conflict: Assessing implications of the International Law Commission’s Principles and related issues”²², organized by UC3M and cosponsored by IUCN WCEL, on the UN International Law Commission’s Principles on Protection of the Environment in relation to Armed conflict.

November 2022 Participated in the COP of the UNFCCC and Paris Agreement, Egypt (Gustavo Alanis attended in person and UN Representative in NY Victor Tafur attended virtually).

November-December 2022 Participated in the first session of the Intergovernmental negotiating committee (INC) following United Nations Environment Assembly (UNEA-5.2) resolution 5/14 to develop an international legally binding instrument on plastic pollution, including in the marine environment with the ambition to complete the negotiations by end of 2024 (UN Representative in NY, Victor Tafur, participated virtually).

December 2022 Participated in the COP of the UN CBD Montreal, Canada (Special Representative Eneas Xavier de Oliveira Jr. attended in person and UN Representative in NY Victor Tafur attended virtually)

Other programs and activities, include:

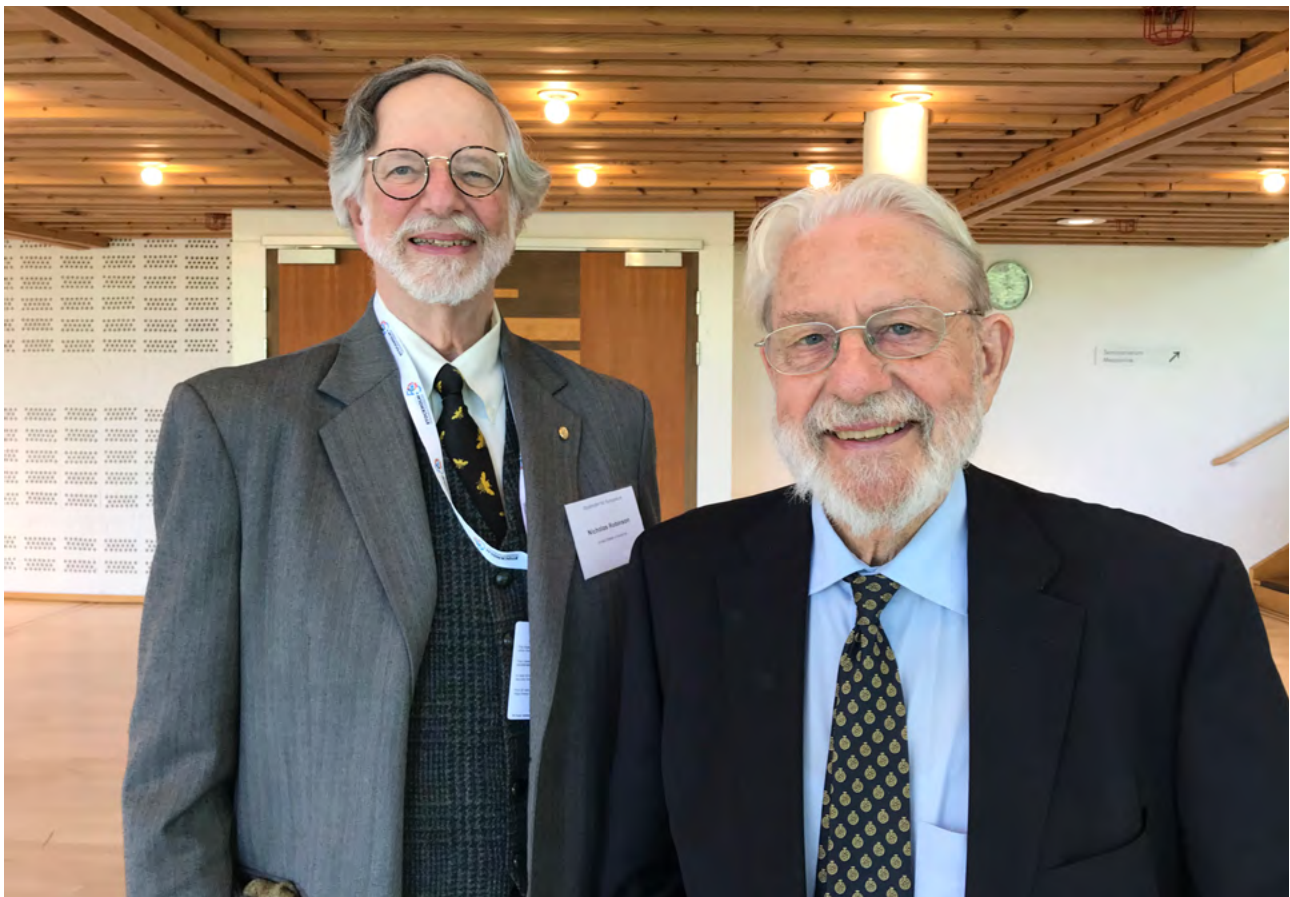
- » ICEL completed nearly two decades of activities in support of the judiciary, with UNEP and IUCN WCEL, and supported the Global Judicial Institute on the Environment, which was finally established in 2022.
- » Transferred Elisabeth Haub Award For Environmental Law and Diplomacy, as requested by the Haub family, to Pace University’s Elisabeth Haub School of Law, with ICEL on the The award-statutes assining ICEL a seat on the jury.
- » Relinquished editorial roles for the Journal Environmental Policy and Law (EPL), IOS Press, the editor-in-chief and ICEL Members on editorial advisory board in their personal capacities. ICEL is exploring opportunities to publish a series of original environmental monographs, as short books on key topics in environmental law. ICEL Board Member, Prof. Ben Boer is chair of the Publications Committee.
- » On-Going Substantive: UNESCO World Heritage Convention; Convention on Migratory Species (CMS); UNCLOS and deep sea bed mining and marine protected areas; Environmental Impact Assessment (EIA) and public participation in Aarhus, Espoo, Escazu conventions; sustainable energy; law reform; and advisory opinions from international courts and tribunals.
- » ICEL/IUCN Law Library: ICEL remains in active negotiation with IUCN about the fate of the ICEL/IUCN Environmental law Library in Bonn; IUCN has not kept the library up. ICEL’s Board has requested IUCN to dedicate resources for maintenance and improved access or to transfer the library so it can be digitalized and placed online for global access. The IUCN ELC no longer serves as a secretariat for the IUCN WCEL.
- » IUCN World Conservation Congress – Preparations for WCC in 2026-7 are beginning.

²² <https://icelinternational.org/2022/11/10/icel-workshop-protection-of-the-environment-in-times-of-armed-conflict-assessing-implications-of-the-international-law-commissions-draft-principles-and-related-issues/>

ICEL MUSIC AND CULTURE FOR THE ENVIRONMENT (IMCE)

IMCE was established in 2021 with the aim of promoting the implementation of Environmental Law. Maestro Amos Chiya, Singapore conductor, and a research fellow in sustainability science at Hiroshima University, is the ICEL Representative for Music and Culture.²³

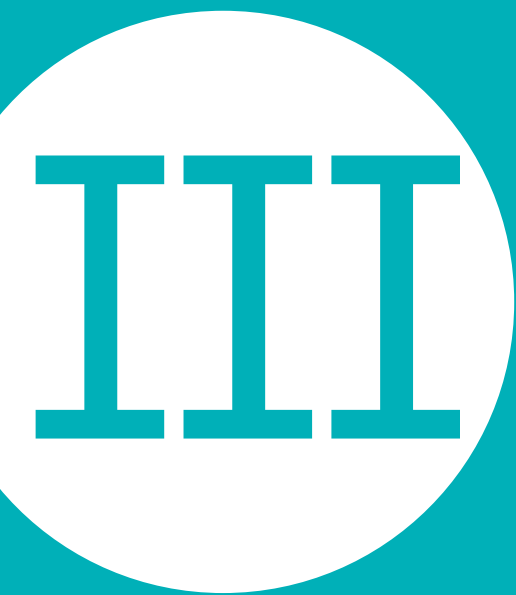
At the International Symposium on Peace with Nature: Law for Ecological Resilience held between 2-3 September 2021 in Marseille, the “World Premiere Performance - Music Caring for the Earth” was launched with “Voice of the Sea”, on whales and whaling activities, composed and played by Maestro Amos Chiya. The session was moderated by Prof. Nicholas A. Robinson, with Prof. Koh Kheng Lian as narrator. Subsequently, Maestro Chiya composed “Monochrome Burning”, on the devastating impacts of forest fires, and “Lost Migration” on the destruction or degradation of habitats on migratory birds, featured during the side-event on UNEP’s 50th Anniversary in 2022.²⁴



*At Stockholm@50, June 2022, ICEL Executive Governor Nicholas A. Robinson
and Professor Michael Bothe*

²³ See Amos Chiya - YouTube

²⁴ See <https://youtu.be/JYwLEzjuZBQ> (introduction), https://youtu.be/4ASZwXemC_I (work)



ICEL's Agenda of Consultations and Studies

- » **March 2023** Official Virtual Side-event at the UN 2023 Water Conference²⁵ – formally known as the 2023 Conference for the Midterm Comprehensive Review of Implementation of the UN Decade for Action on Water and Sanitation (2018-2028) – at UN Headquarters in New York, 22-24 March 2023, co-hosted by ICEL, UNEP, WCEL and the Global Judicial Institute on the Environment.
- » **April 2023** (ongoing 2024-2025) Provide capacity-building with regards to the issues, and file amicus brief, concerning the advisory opinion requested by the UNGA from the International Court of Justice on the obligations of States under international law to ensure the protection of the climate system from anthropogenic emissions of greenhouse gases.
- » **April 2023** Participate in the UN interactive dialogue to be held on 24 April 2023 at the plenary meetings during the commemoration of International Mother Earth Day, with the participation of the United Nations system, independent experts and other relevant stakeholders, in particular Indigenous Peoples, in order to discuss the possibility of convening and the scope of a high-level meeting, tentatively entitled "Earth Assembly", to be held on 22 April 2024. UNGA Resolution A/77/169. On 23 April 2023, ICEL organized the informal preparatory meeting for the event, with participation of over 80 world wide experts in the topic, at Pace University in New York City.
- » **April 2023** Collaboration with Lenape Center for the UN Permanent Forum on Indigenous Issues and Harmony with Nature dialogues at UN Headquarters in NY.
- » **May/June 2023** Participate in the second session of the Intergovernmental negotiating committee (INC-2) to develop an international legally binding instrument on plastic pollution, including in the marine environment.
- » **May/June 2023** ICEL International Conference on Environmental Law, in Sao Paulo, Brazil, with the Instituto Planeta Verde, Lawyers for a Green Planet.
- » **July 2023** Annual ICL Informal Meeting/ Luncheon, in Geneva, Switzerland.
- » **July 2023** Participate in the World Law Congress New York City 2023, organized by the World Jurist Association and World Law Foundation. Panel on Nature, Justice and Peace. Held launch event at UC3M Toledo Campus, cosponsored with the Global Judicial Institute for the Environment, on 5 May 2023 in Madrid.²⁶
- » **February-September 2023 into September 2024** Participate in the consultations for the UN Summit on the Future, UN Headquarters in NY.
- » **October 2023** Annual Meeting of ICEL Board of Governors and Members Assembly in Madrid at UC3M.

25 Event: The "2018 Brasilia Declaration of Judges on Water Justice": The Role of Courts in the Implementation of SDG 6 and Other Water-related Goals and Targets. – ICEL (icelinternational.org); see also [Keys to the United Nations Water Conference, 22-24 March 2023](#) – ICEL (icelinternational.org).

26 <https://icelinternational.org/2023/04/28/dialogues-on-nature-justice-and-peace-may-5th-2023/>



From left to right: Prof. James May (Delaware Law School, Widener University), Justice Brian Preston (Presiding Judge, Environment and Land Court, New South Wales, Australia), Prof. Katrina Kuh (Haub Law, Pace University), Prof. David Forman (William S. Richardson School of Law, University of Hawaii), Prof. Emilie Gaillard (Normandy Chair for Peace, General Coordinator; SciencesPo Rennes), Tony Oposa (ICEL's Ombudsman for Future Generations, NCP Chair Leader), Justice Nambitha Dambuzza (Justice, Supreme Court of South Africa), and Prof. Nicholas A. Robinson, ICEL's Executive Governor.

- » **November - December 2023** Participate in the COP of the UNFCCC and Paris Agreement, United Arab Emirates.
- » **February 2024** Participate in the UNEA meetings in Nairobi.
- » **2024** Participation in the COP of the UN CBD planned to be held in 2024 in Turkey.

IV

ICEL Representatives and ICEL Panel
of Advisors

ICEL Representatives Worldwide

ICEL Jurist serve pro bono publico to contribute their expertise to many international endeavors. In 2022, at the Oslo Board of Governors meeting, ICEL honored the most senior representative serving since appointed by Wolfgang Burhenne: Donald Kaniaru in Nairobi and Milena Bellini-Sheppard in Geneva.

ICEL Representatives
Prof. Victor Tafur, UN Headquarters New York
Ms. Milena Bellini-Sheppard, UN Geneva
Mr. Donald Kaniaru, UN Nairobi
Mr. Reinhard Krapp, Bonn
Prof. Koh Kheng Lian, ASEAN
Prof. Chikosa Banda, African-Asian Legal Consultative Organization
Prof. Hiroko Muraki-Gottlieb, Oceans
Prof. James May, Rights of Nature
Mr. Antonio Oposa, Ombudman for Future Generations
Maestro Amos Chiya, Music and Culture

ICEL Panel of Advisors

As ICEL enters its second century of service in elaborating the world's systems of environmental law, it benefits from consulting a panel of advisors. Environmental law is enriched by the customs and laws of each region and place. The relationships of ecological law bind nature and people, and the continuing challenge is for governments to nurture, in positive ways, these relationships. ICEL's Board of Governors encourages the advice and insight of peoples and places. To that end, an open-ended panel of advisors provides ICEL with counsel (see ICEL's Panel of Advisors in the [ICEL webpage](#)).



ICEL Executive Governor Nicholas A. Robinson and ICEL Representative in Geneva, Millena Bellini-Sheppard, at the Assembly and Board meeting in Oslo 2022



ICEL Executive Governor Nicholas A. Robinson and ICEL Representative in Nairobi Donald Kaniaru



ICEL Executive Governor Nicholas A. Robinson and ICEL Associate Executive Governor and UN Representative in NY, Victor M. Tafur



In Rio de Janeiro, March 2019, ICEL Chancellor, Justice Antonio H. Benjamin, ICEL Executive Governor Nicholas A. Robinson, Professor Denise Antolini and ICEL Board Member and ILC Chair Professor Nilufer Oral



An Invitation: ICEL Jurists, Supporters
and Friends - Contributing to ICEL's
Education & Capacity-Building
Endeavors Through the Coalition For
Ecological Law

As this report attests, ICEL is a strong and revitalized organization. The problems of reshaping the law in this Anthropocene Epoch exceed our prior challenges. Since 1969, ICEL has always succeeded through voluntary contributions of time, funding, and talent. Environmental law must cope with what some see as an existential crises of biodiversity losses and unprecedented impacts of climate change (droughts and floods, sea level rises, wildfires, and wide swings in temperatures in the seas and on the land). New modes of behavior are needed, and ecological law will need to bolster environmental ethics with stronger norms in binding treaties and in strong national legislation.

You know this already. To strengthen environmental law, many incremental decisions will be needed across all fields of law, guided by the Human Right to the Environment. ICEL can provide essential expertise for this by being represented strategically in treaty negotiations and national legislative forms.

ICEL can do this with your engagement!

If you recommit your expertise to represent ICEL in an ongoing environmental law theme, or in a new undertaking, we invite you to volunteer. ICEL can accredit you to a negotiation or authorize participation in a law reform context, regionally or nationally. ICEL representatives are already active in the field.

If you can donate time, by writing an article or a monograph on a pressing environmental law issue, ICEL can work to see it is published and disseminated. See, for example, the editorial "Laws of Nature and nations," published last December in the *Revista Espanola de Derecho Internacional* (vol. 74/2/2022) at pp.17-22.²⁷

If you can donate a financial contribution, directly to ICEL or through the Coalition For Ecological Law (Tax-exempt for US contributions), ICEL will honor your contribution and put it to work on projects such as those outlined above. ICEL has established honorary rosters, recognizing donors who support



ICEL's Chancellor Antonio H. Benjamin and Prof. Koh Kheng Lian, Board Member and Patron, in Toledo, after the meetings in Madrid, November 2019

27 See [Revista Española de Derecho Internacional](https://dipublico.org/) - Vol. 74 2 2022 - dipublico.org.

this on-going ICEL work. We invite everyone to make a financial contribution at whatever level an individual ICEL Jurist, Supporter or Friend of ICEL may wish.

Donations may be made through a wire transfer or by check to ICEL's bank account in Madrid. Donations may also be sent to the Coalition For Ecological Law, Inc., in New York, by wire transfer, check, Zelle® or credit card payment via a safe Chase Bank payment link. Donations in the USA will qualify for income tax-deductions to the extent permitted by US federal law. To contribute, please go to www.ecologicalaw.org.

You are invited to donate at whichever level you prefer. Annual contributions will be included in annual budgets, including reserves. Significant one-time gifts may be invested in ICEL's endowment. All donors will receive a certificate to record their donation and inclusion in the rosters indicated for each giving level (in \$US or equivalent € or other currencies) I. Rosters will be published online and in the annual report (unless the donor wishes to remain anonymous and so requests).

Patron (one-time donations of \$US 10,000 and up) – may be invested in endowment.

Nagendra Singh Honorary Society (Annually, \$US 5,000 and up)

Wolfgang E. Burhenne Fellow and Françoise Burhenne-Guilmin Fellowship (Annually, \$US 2,500 to 4,999)

Society of Founders (Annually, \$US 500 to 2,499)

Friends (Annually, \$US 1.00 to 499)

To get information on how to process donations, please contact Dr. Victor Tafur, ICEL Associate Executive Governor, at tafur.victor@gmail.com or visit www.ecologicalaw.org.

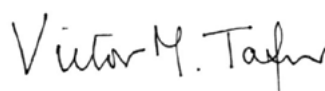
You are invited to contact ICEL if you wish to contribute or undertake a project or participate in any of ICEL's on-going educational and capacity-building programs.

Thank you for your past and we hope future, or new, contributions to ICEL's success

Sincerely yours,



Nicholas A. Robinson
Executive Governor



Victor M. Tafur
Associate Executive Governor

15 May 2023



International Council of Environmental Law