

A NEW GENERATION OF LAWS

Using justice, law and empowerment to achieve better biodiversity outcomes

“ We envisage a world in which ... democracy, good governance and the rule of law, as well as an enabling environment at national and international levels, are essential for sustainable development, including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger... ”



TRANSFORMING OUR WORLD: THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

- ▶ **BIODIVERSITY** is vital to humanity. Huge biodiversity losses threaten human resilience and innovation. Preserving ecosystems lies at the core of the planetary Sustainable Development Goals (SDGs).
- ▶ **JUSTICE** is one of the six 'essential elements' of the SDGs, and is recognized specifically in Goal 16.
- ▶ **REFORMING LAWS** to mainstream biodiversity offers co-benefits across the SDGs.

● LEARNING FROM PAST EXPERIENCES, NEW LAWS SHOULD:



Understand how development issues are **interlinked**

Move away from 'band-aid' solutions and **address root causes**

Foster empowering **partnerships** that build trust between governments and people



Introduce methods and approaches that **reduce inequality** and reach the most vulnerable



Commit to long-term adaptive plans that bring about **transformative change**

LAW MAY BE DAUNTING BUT CAN ADDRESS CURRENT CHALLENGES BY:

Outlining the social contract between people and government, raising awareness and providing a set **common vision**.

Building trust and encouraging people to commit and take part.

Encouraging people to devise well informed, **appropriate solutions** to issues, resulting in just outcomes.

Empowering the most vulnerable, and recognizing adverse environmental impacts on these people.

● WE NEED TO RETHINK THE WAY WE LOOK AT LAW AND LAW MAKING ON BIODIVERSITY. WE NEED:

A new generation of laws: These laws must harness the full power of the justice system to regulate and empower people, and bring together a mix of legal tools and approaches to engage people across sectors and society.



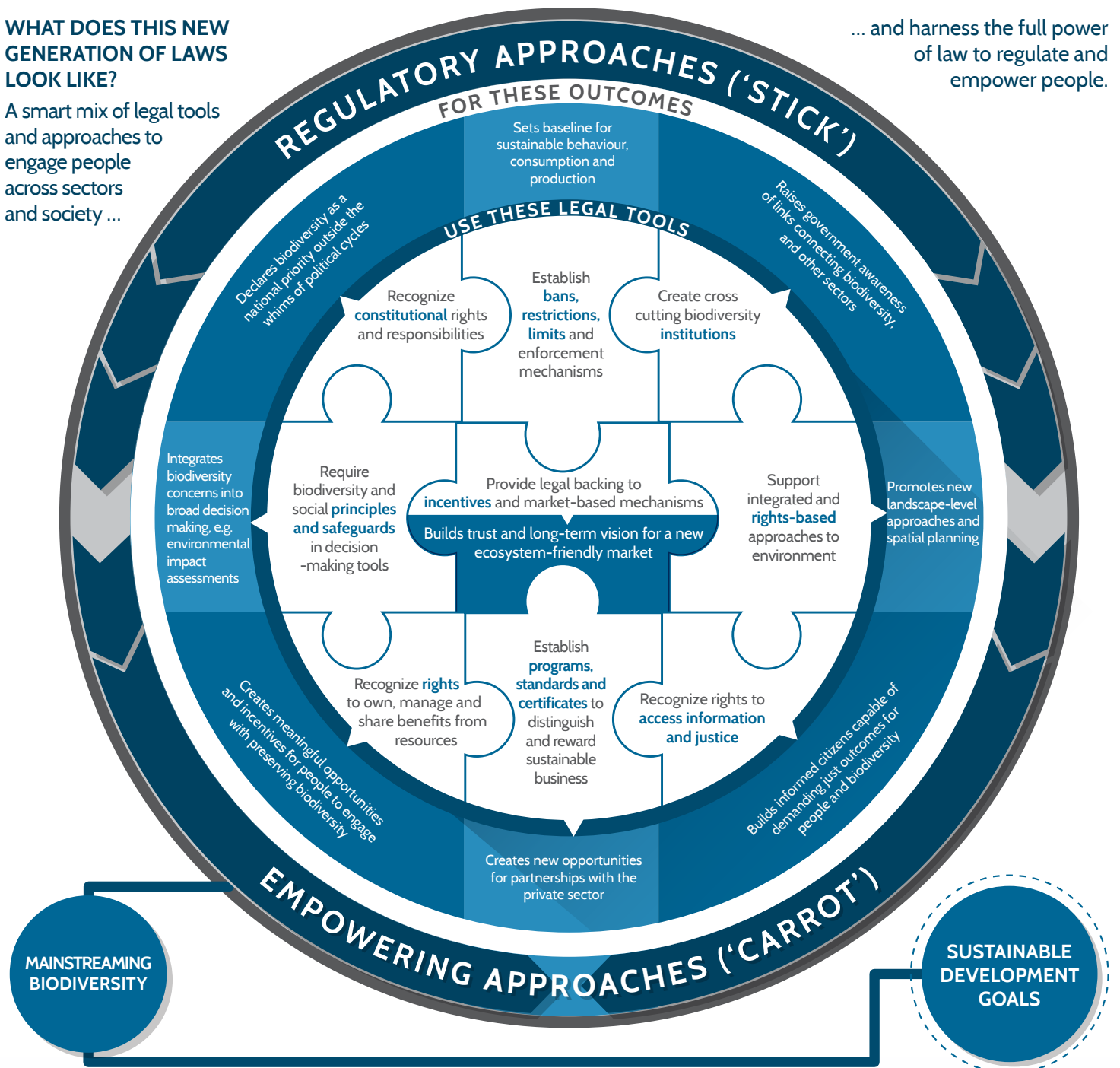
A commitment to 'legal preparedness': Ensuring laws work requires care in identifying a realistic legal approach, and ensuring the political will and capacity exist to implement and adapt laws as experience grows.



WHAT DOES THIS NEW GENERATION OF LAWS LOOK LIKE?

A smart mix of legal tools and approaches to engage people across sectors and society ...

... and harness the full power of law to regulate and empower people.



USING THE LAW AS A STICK: PALAU BANS COMMERCIAL FISHING VESSELS

In 2014, the Pacific island nation of Palau restricted fishing across an area of 230,000 square miles, despite earning 3.3% of its GDP (US\$5 million annually) from commercial tuna fishing. Sharks were often hauled out of the sea as bycatch, which Palau deemed detrimental to its US\$85 million shark-based dive tourism industry. In an article in *The Guardian*, President Thomas Remengesau Jr said: "We feel that a live tuna or shark is worth a thousand times more than a dead fish."



USING THE LAW AS A CARROT: BOLIVIA UNITES FOREST DWELLERS AND WORKERS

Almost half of Bolivia is covered in forest, some 53 million hectares containing more than 2,000 species. Bolivia's New Forest Law 1700 reformed the forestry sector and 'democratized' access to forest resources. The development of a Forest Stewardship Council (FSC) National Standard for Bolivia transformed certification from being something imposed by outsiders to a requirement developed in Bolivia, by Bolivians. The Standard was supported by private forestry firms and indigenous forest communities alike.

Read next about committing to **legal preparedness**, to explore the new ways of law making needed to deliver global environment and development agendas.