



# Global Judicial Institute on the Environment

11 July 2017

Re: Summary of GJIE Brasília Meetings and Next Steps

Dear GJIE Founding Members, Partners, and Colleagues,

We are pleased to report that the newly launched Global Judicial Institute on the Environment (GJIE) completed three intensive days of discussions during the “Second International Meeting of the GJIE,” held 19 May at the National High Court of Brazil (STJ) in Brasília, Brazil and 20-21 May in Chapada dos Veadeiros National Park, a UNESCO World Heritage Site, in Alto Paraíso de Goiás, Brazil.

These consultative meetings involved judges from eighteen countries, with participation by videoconference of judges from India (Justice Kumar), New South Wales (Justice Pain), Pakistan (Justice Mansoor), Mexico (Justice Gutiérrez), East Africa (Justice Ugirashebuja), and Belgium (Justice Lavrysen). Participants also included distinguished judicial leaders such as Judge Cristina Crespo, Former President, International Association of Judges, Uruguay, and critical partnership support from, and the strong presence of, John Knox the U.N. Special Rapporteur on Human Rights and the Environment, the International Association of Judges, the EU Forum of Judges for the Environment, UN Environment, Asian Development Bank, Organization of American States, Brazilian Association of Judges, Brazilian Association of Federal Judges, IUCN World Commission on Environmental Law, and several academic institutions.

During the Meeting, the participating judges approved a series of key decisions to create the structure and legal personality of the GJIE, building on the Institute’s *Charter* adopted at the initial gathering in Rio de Janeiro in April 2016 during the 1st IUCN World Environmental Law Congress.

First, the attending judges reaffirmed that the GJIE is an *international organization directed by judges and for judges*, and that its mission is “to support the role of judges, courts, and tribunals in applying and enforcing environmental laws and in promoting the environmental rule of law.”

Second, the participants approved a Statute for the GJIE (attached), which specifies a provisional organizational structure comprised of an Interim Governing Committee (IGC) with fourteen members to serve for two years, and other key membership and governance provisions, which allow the Institute to proceed with the filing of the appropriate papers for legal personality in Geneva, Switzerland.

Third, the participants adopted criteria for selecting the members of the Interim Governing Committee, specifically that the committee members should be chosen from among the “Founding Members” who participated in either the first meeting in Rio or in this second meeting in Brasília-Alto Paraíso de Goiás. (A list of the Founding Members is attached as Annex II to the Statute included with this letter.) To begin the formation process, three initial IGC members were immediately appointed -- Justice Antonio Herman Benjamin (Brazil), Justice Ragnhild Noer (Norway), and Justice Michael Wilson (United States).

The participating judges then authorized the IGC to invite partner institutions and Founding Members to nominate, from the Founding Members, individuals who will fill the additional eleven positions on the Committee. To this end, *we ask you to please forward to us names of nominees from among the list of Founding Members by 11 August 2017.* Once the Interim Governing Committee is constituted with the new members, the Committee will ensure follow up on the filing of the incorporation and other formative matters, begin drafting the GJIE Bylaws, formulate the criteria for general membership in the GJIE, solicit nominations for membership, and begin preparation for the first General Assembly of the GJIE in 2018 (see below).

Fourth, the participants approved a Call for Letters of Interest (attached) that will enable the Committee to begin the critical search for a partner-host that can serve as the Temporary Secretariat for the GJIE. We now seek your suggestions for individuals and institutions that may be interested in assisting the GJIE at this or other levels identified in the enclosed Call for Letters of Interest, including funding. We ask for your *recommendations for recipients of the Call for Letters of Interest by 11 August 2017.*

Fifth, the participants set the date and venue for the first *General Assembly of the GJIE*, to be held in conjunction with the *8<sup>th</sup> World Water Forum*, in Brasilia, 18-23 March 2018. This Forum, which is held every three years, is the largest global gathering on the subject and for the first time will be held in the Southern Hemisphere. At this Forum, the GJIE has been invited to organize a full day program on “Judges and Water” with its many partners. The combination of the General Assembly and the program for the Forum is an extraordinary step forward for the GJIE in the coming year. For more information, go to: <http://www.worldwaterforum8.org/>

Sixth, immediately following the three days of Institute meetings in Brasília-Alto Paraíso de Goiás, the GJIE hosted a major two-day conference with the Federal Senate of Brazil entitled *Constitutions, Environment, and Human Rights: Practice and Implementation: Regional Judicial Colloquium for Latin American and the Caribbean.*

This unique event, with over 79 judges and academics, with nine sessions chaired by Federal Senators, and many other international participants including leading scholars, was co-sponsored by UN Environment, UN Special Rapporteur on Human Rights and the Environment, the Brazilian Association of Judges (AMB), the Brazilian Association of Federal Judges (AJUFE), the Brazilian Bar Association (OAB – Conselho Federal), the Organization of American States (OAS), the IUCN World Commission on Environmental Law (WCEL), Widener University Delaware (USA), University of Hawaii William S. Richardson School of Law (USA), and North-West University (South Africa). The video of the Colloquium is already publicly available (<http://bit.ly/2qn3ZYB>) (see Opening Session at <http://bit.ly/2qfoH1i>) and the proceedings will be officially published by the Federal Senate of Brazil in the near future.

Seventh, the GJIE calls your attention to a number of other upcoming events that will be co-organized by the GJIE to enhance judicial capacity and share best practices including in particular a course being organized by GJIE in Congo-Kinshasa (originally planned for this month, but postponed to a future date due to the political and security situation in the country), in partnership with UN Environment headquarters and the Governments of Brazil, Belgium, and France. This meeting, entitled "Perspectives on Environmental Law in the Democratic Republic of Congo, Kinshasa," is the first initiative of its kind in Francophone Africa. The Interim Governing Committee will be forming an Educational Committee for planning and organizing similar training events in the future; we invite your ideas and suggestions for activities of this type that can be held under the auspices of the GJIE.

We will keep you apprised of developments of the GJIE as it progresses through the key steps in governance, membership formation, preparation for the General Assembly, and other activities. We include here for your reference:

Attachment 1: GJIE Charter (29 April 2016)

Attachment 2: GJIE Statute (21 May 2017)

- Annex I: GJIE Transitory Provisions
- Annex II: GJIE Founding Members
- Annex III: GJIE Regions

Attachment 3: GJIE Call for Letters of Interest (21 May 2017)

(Note: the translation of these three foundational documents into Spanish, French, and Portuguese will be provided in subsequent emails.)

Attachment 4: Program for the Second International Meeting of the Global Judicial Institute for the Environment (19-21 May 2017) (English)

Attachment 5: Program for the Regional Judicial Colloquium for Latin American and the Caribbean: Constitutions, Environment, and Human Rights: Practice and Implementation (22-23 May 2017) (English)

and

Attachment 6: Draft Programme GJIE Congo-Kinshasa (French)

In closing, we wish to express our sincere gratitude to all of the judges involved in both the first and second meetings of the GJIE and to all of our many steadfast partners who made it possible for the Institute to progress in the span of only *one year* from a foundational Charter to a Statute, Interim Governing Committee, and the plan for its General Assembly in 2018. We look forward to working with you all in the coming year and beyond.

With kind regards and our thanks,

Sincerely the Interim Governing Committee,

*Antonio Herman Benjamin*

Justice, National High Court of Brazil (STJ); Secretary-General, UNEP International Advisory Council for Environmental Justice

*Ragnhild Noer*

Justice, Supreme Court of Norway

*Michael D. Wilson*

Justice, Supreme Court of Hawai'i, USA

Attachments