

Environmental Governance and the 2030 Agenda

Progress and Good Practices in Latin America and the Caribbean



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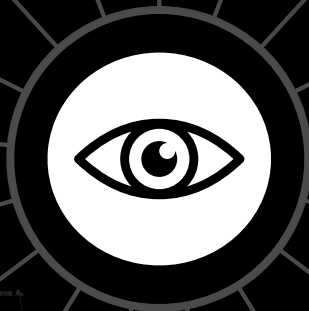
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INTRODUCTION

There is widespread recognition that the achievement of the 2030 Agenda for Sustainable Development and the Paris Agreement on Climate Change imply a transformation of the global development trajectory. This transformation requires a shift from prioritizing economic growth as a foundation for social welfare to a greater emphasis on sustainability, overcoming the current trends of social inequality and environmental degradation.

The challenges related to this transformation imply a change in the way development is managed. Current sectoral approaches, often fragmented, should be gradually substituted by more integrated approaches that balance, at the level of public policies, social development with the sustainable management of natural resources and ecosystems, as well as inclusive and sustainable economic development.

The national institutions of the region are moving in this direction. Although there is still a sectoral approach with respect to environmental protection and natural resource management, there have been important advances. Many countries currently include sustainable development as a key element in their Political Constitutions and have developed specific legislation and policy frameworks to provide the tools and instruments to support their vision of sustainability.

Latin America and the Caribbean have also made progress in strengthening the institutional structures of environmental authorities and in creating new mechanisms for political coordination that favor the integration of the environmental dimension of sustainable development. New institutional arrangements have emerged to ensure the coherency of public actions and, more recently, for the integrat-

ed implementation of the 2030 Agenda and its Sustainable Development Goals (SDGs).

This document presents an analysis of the main trends in the institutional arrangements and legal instruments that promote the integration of the environmental dimension of sustainable development. By identifying concrete experiences, innovations and ongoing challenges, this document also intends to promote a regional discussion on how to strengthen the inclusion of environmental considerations in sustainable development planning and management and, in particular, the 2030 Agenda and other international agreements adopted with this objective.

Box 1

Some environmental challenges for the transition towards sustainable development in the region

Latin America and the Caribbean covers more than 5 million square kilometers of fertile land. Characterized by its natural richness, it

includes a wide range of biomes (see fig.1) and biological diversity. However, the region faces significant environmental challenges for sustainable development, such as:

- Primary products and manufactured goods based on natural resources represent more than 50% of the region's exports.
- The ongoing process of urbanization has increased the urban population by more than 35 million over the 2010-2015 period, with a forecast for reaching 567 million people living in cities by the year 2025.
- Air quality in cities has worsened and the available data shows that, in several cities, the concentrations of particulate matter and ozone exceed World Health Organization limits.
- The Snapshot Report of the World's Water Quality, published by UN Environment in 2016, highlights that almost 25% of river stretches in the region are classified as "severely contaminated."
- The occurrence and impact of disasters underscores the region's exposure to high levels of risk, which implies significant economic, human and development losses.
- Ecosystem services, biodiversity and productive soils are "being degraded due to, among other things, the persistence of extractive economies that use natural resources beyond their renewal rate, unplanned urban growth and the uncontrolled expansion of the agricultural frontier." (UN Environment, UNDP, 2017: 7)

The first chapter of this document analyzes the ideas behind the integrated approach to sustainable development, contextualizing it in a dialogue with other approaches, such as the Nexus Approach and the Circular Economy, identifying some of their implications for the region.

The second chapter looks at environmental governance among Latin American and Caribbean countries, identifying institutional changes with regard to responsibilities and hierarchies, as well as the renewed form of interaction with non-governmental stakeholders that contribute to sustainable development. Given the importance of this issue, it also includes a final reference to the specific challenges faced in generating and managing environmental data and information.

The third chapter examines the normative changes that are taking place in environmental matters in the countries of the region, presenting the constitutional frameworks, innovations and interactions with subnational regulatory bodies.

The fourth chapter focuses on the way in which Multilateral Environmental Agreements can provide fundamental tools to strengthen an integrated approach to not just the environmental agenda, but also the sustainable development agenda, taking advantage of the possible synergies between national and international levels.

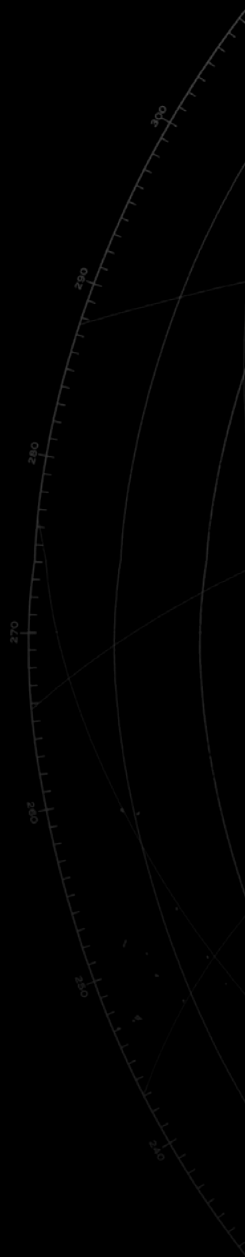
Finally, drawing on the conclusions, we present recommendations for action, based on the analysis carried out, aimed at supporting concrete actions to advance the 2030 Agenda in the region with a strong commitment to environmental sustainability.

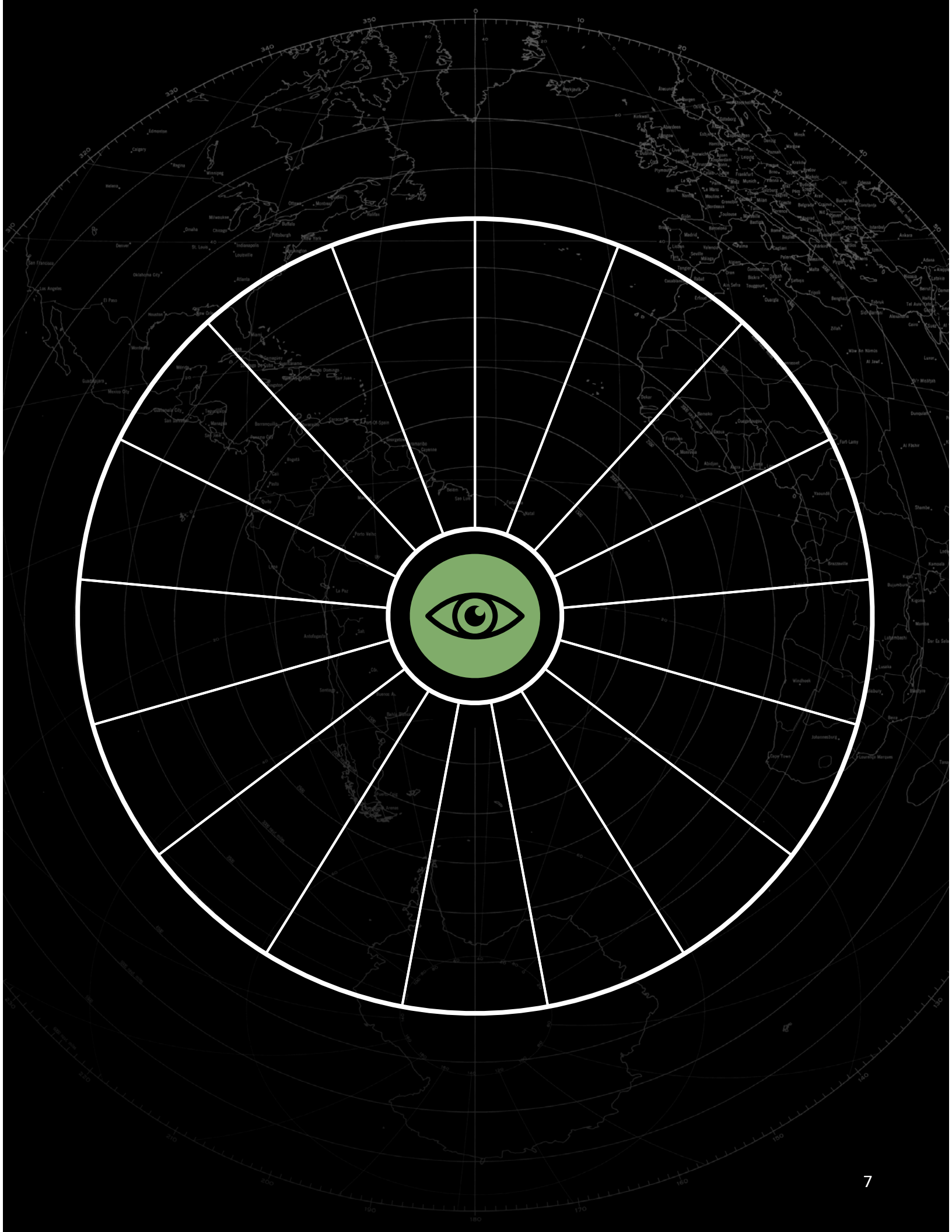
In this document, we present three national cases that contribute inputs to the general analysis of the topics: Argentina and the relations between the central government and provincial governments; Colombia and the development of an institutional framework for the national implementation of the Sustainable Development Goals (SDGs); and Jamaica, with its national biodiversity management effort aligned with the Convention on Biological Diversity.

1

Chapter

The Integrated Approach to Sustainable Development





1.1.

The 2030 Agenda and the Integrated Approach: the central paradigm of Sustainable Development

The debates that culminated in the adoption of the 2030 Agenda for Sustainable Development had their formal beginning at the United Nations Conference on Sustainable Development, held in Rio de Janeiro in 2012 (Rio+20). During the Regional Preparatory Meeting for Latin America and the Caribbean for

this conference, Colombia and Guatemala proposed the creation of global sustainable development objectives (LC/L.3366/Rev.1).

The idea was to bring together two previously separate tracks in the international agenda: environmental sustainability and social development. Rio+20 adopted this vision and, in its final document,¹ called for the adoption of “holistic and integrated approaches to sustainable development” (paragraph 40).

Rio+20 also created mechanisms to operationalize this confluence, replacing the United Nations Commission on Sustainable Development with the current High-Level Political Forum, which first met in

1 A/RES/66/288

Figure 1

The confluence of the United Nations Millennium Development Goals and Environmental Sustainability Goals

Source: UNITAR

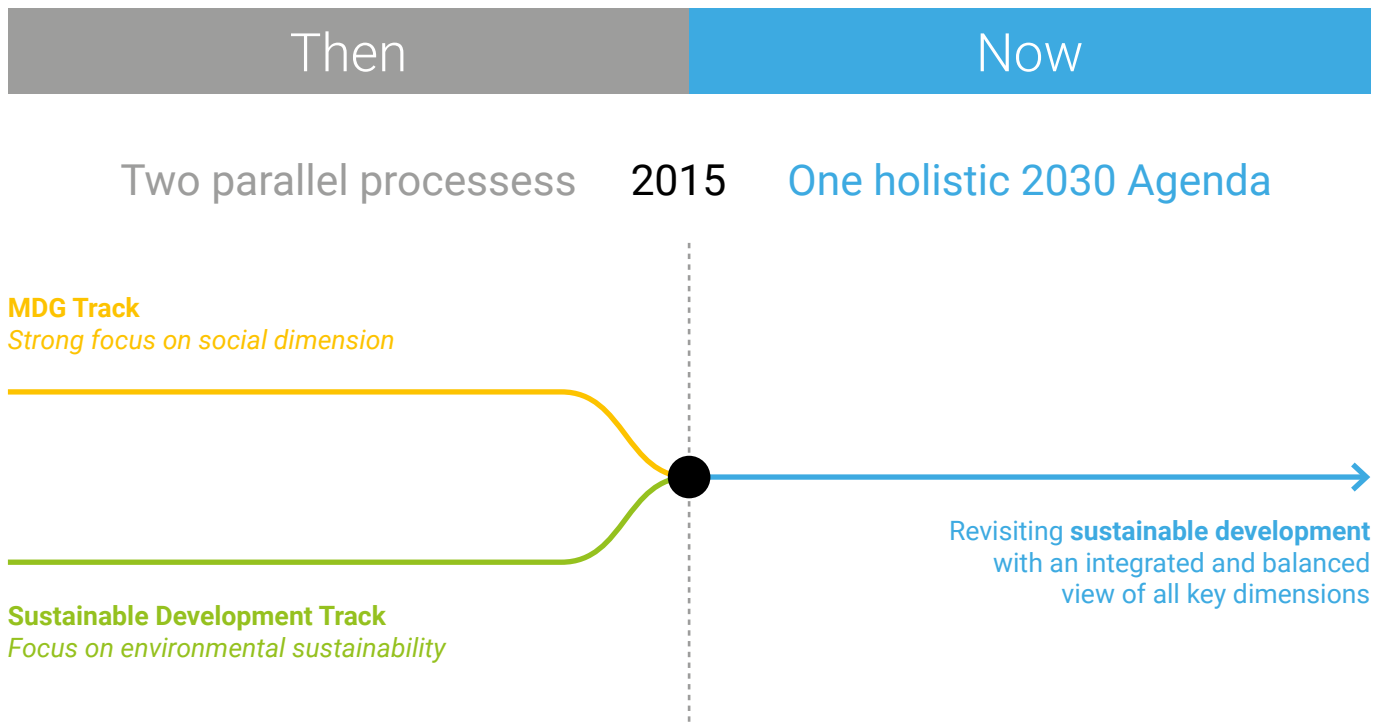


Figure 2

Why an integrated approach to sustainable development?

Source: Based on UN Environment, 2016b.



2014 and culminated in the adoption of a Ministerial Declaration that underlined the need for the 2030 Agenda “to apply a coherent approach that integrates, in a balanced manner, the three dimensions of sustainable development and that seeks to establish a single framework and a single set of goals, which are universal and applicable to all countries” (paragraph 16).

Finally, the text of the 2030 Agenda adopted the integrated approach as a guiding principle to promote the connections that exist between social progress, economic growth and environmental protection (UN Environment, 2016b; Le Blanc, 2015). This opens up “an opportunity to realign and strengthen efforts to achieve greater prosperity in a more inclusive manner and within the capacity of the system that sustains life in the region” (UN Environment, 2016: 13). It also considers the promotion of sustainable management of natural resources as a priority.

The integrated approach applied to sustainable development planning seeks to identify synergies between policies and actions to promote development, improve their impact by reducing the duplication of efforts (human, financial and technical resource efficiency); identify undesired reciprocal conflicts (inconsistencies); and create economies of scale.

To achieve this, it requires adequate institutional and regulatory frameworks that allow for greater collaboration and coordination between government structures (horizontally, across sectors, and vertically between global, national and local levels), and which take advantage of the potential of civil society, the private sector and all the stakeholders involved in sustainable development in general.

Box 2

The Nexus Approach and the Circular Economy: establishing mutually beneficial relationships in the region

There are different approaches and methodologies to achieve integrated approaches to sustainable development. Two relevant examples for the region are the Nexus Approach and the Circular Economy.

The **Nexus Approach**, presented by the Institute for Integrated Management of Material Fluxes and Resources of the United Nations University, focuses on the management of environmental resources with an emphasis on the relationships between their many uses, users and components. “Instead of just looking at the individual components, (it considers) the operation, productivity and management of a complex system.” One of its most developed practical applications is the Nexus between the provision of water, energy and food. Its analysis allows for the identification of options to reconcile the production of these three resources in a way that is sustainable and avoids conflicts.

The **Circular Economy**, on the other hand, has, as its axis, the economic-productive cycle,

but from a perspective of sustainability that maximizes the effectiveness of the use of natural resources and minimizes the production of waste. “Since the Industrial Revolution, companies and consumers have largely adhered to a linear model of value creation that begins with extraction and ends with the elimination (of the product) at the end of its useful life” (McKinsey Center for Business and Environment, 2016: 2), thus externalizing environmental and social costs. Starting from the “3-Rs” (reduce, reuse, recycle), the circular economy broadens the analysis of the relationships in the economic cycle and even proposes the inclusion of

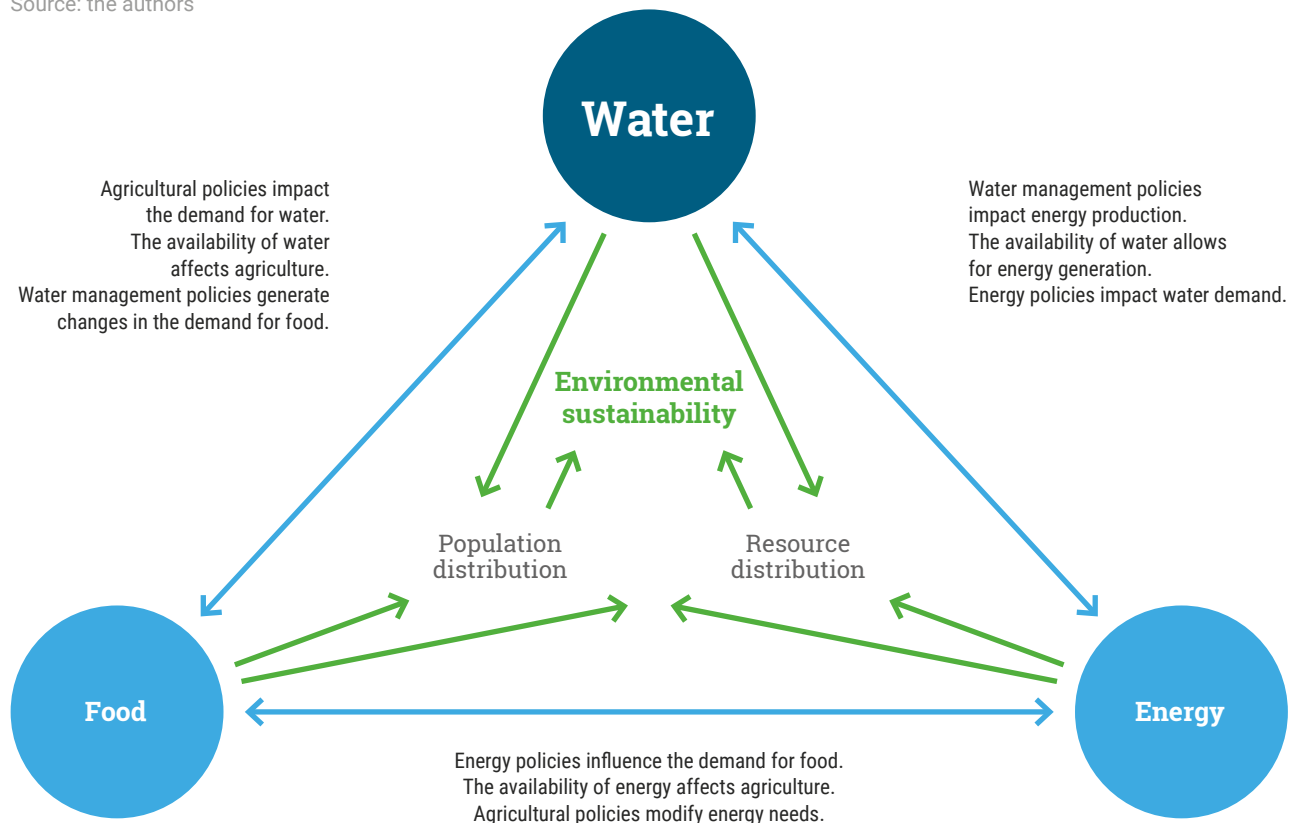
other “Rs,” such as repair, reject, repurpose, resell, redesign and rethink.

Both approaches contribute to an integrated vision of sustainable development in a practical manner: either through the internalization of non-financial costs with a view of the economic cycle characterized by its relations with the social and environmental spheres, as in the case of the Circular Economy; or by contributing to the concrete identification of relations between the objectives of different spheres to avoid competition for the same natural resources, as in the case of the Nexus Approach.

Figure 3

The Nexus Approach to energy, water and food production

Source: the authors



1.2.

The role of environmental governance in Latin America and the Caribbean in an integrated approach to sustainable development

The promotion of sustainable development in the region dates from the United Nations Conference on the Human Environment (1972). This conference, also known as the Stockholm Conference, had the extraordinary merit of putting environmental issues and, in general, concern for the unsustainability of the development model, on the global agenda. As a result, in 1972, the countries of the region began a process of institutionalization and/or a revision of environmental management that brought about important changes in public policies and national legal systems. These changes were not only aimed at protecting the environment, but also at promoting a broader sustainable development agenda.

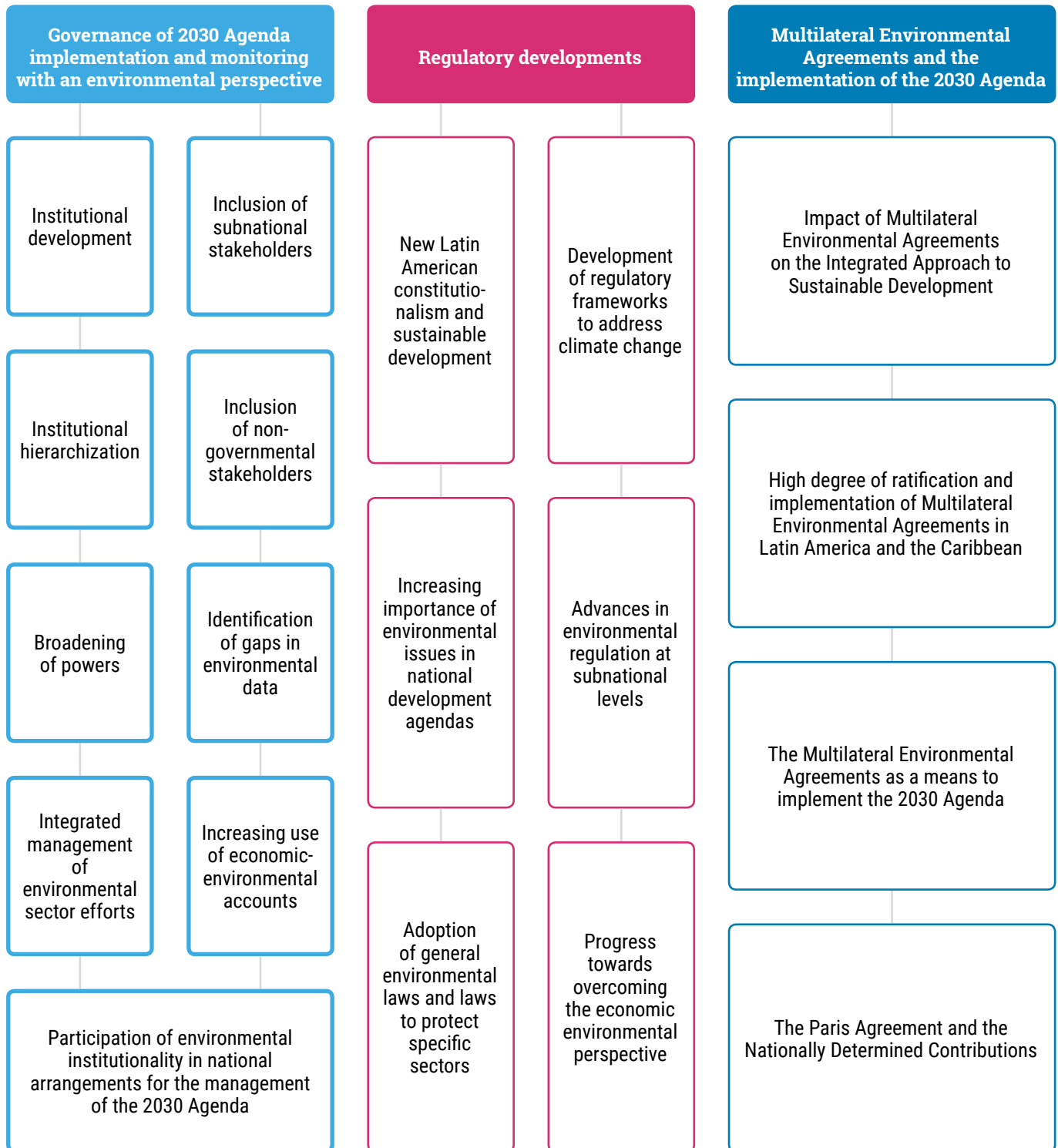
The next two chapters identify and analyze regional advances in this area that, over time, have

followed the momentum of the Earth Summit (Rio de Janeiro, 1992), the United Nations Conference on Sustainable Development (Rio+20) and, more recently, the 2030 Agenda for Sustainable Development. This analysis places special emphasis on the progress made in the framework of the environmental sector. The summary discusses the inclusion of these issues in the Political Constitutions of the countries of the region, as well as environmental legislation addressing the institutional mechanisms of environmental governance. This discussion places particular emphasis on the contributions for the implementation and monitoring of the environmental dimension of the 2030 Agenda.

The main institutional and regulatory trends identified in the region are summarized in the figure below.

Figure 4

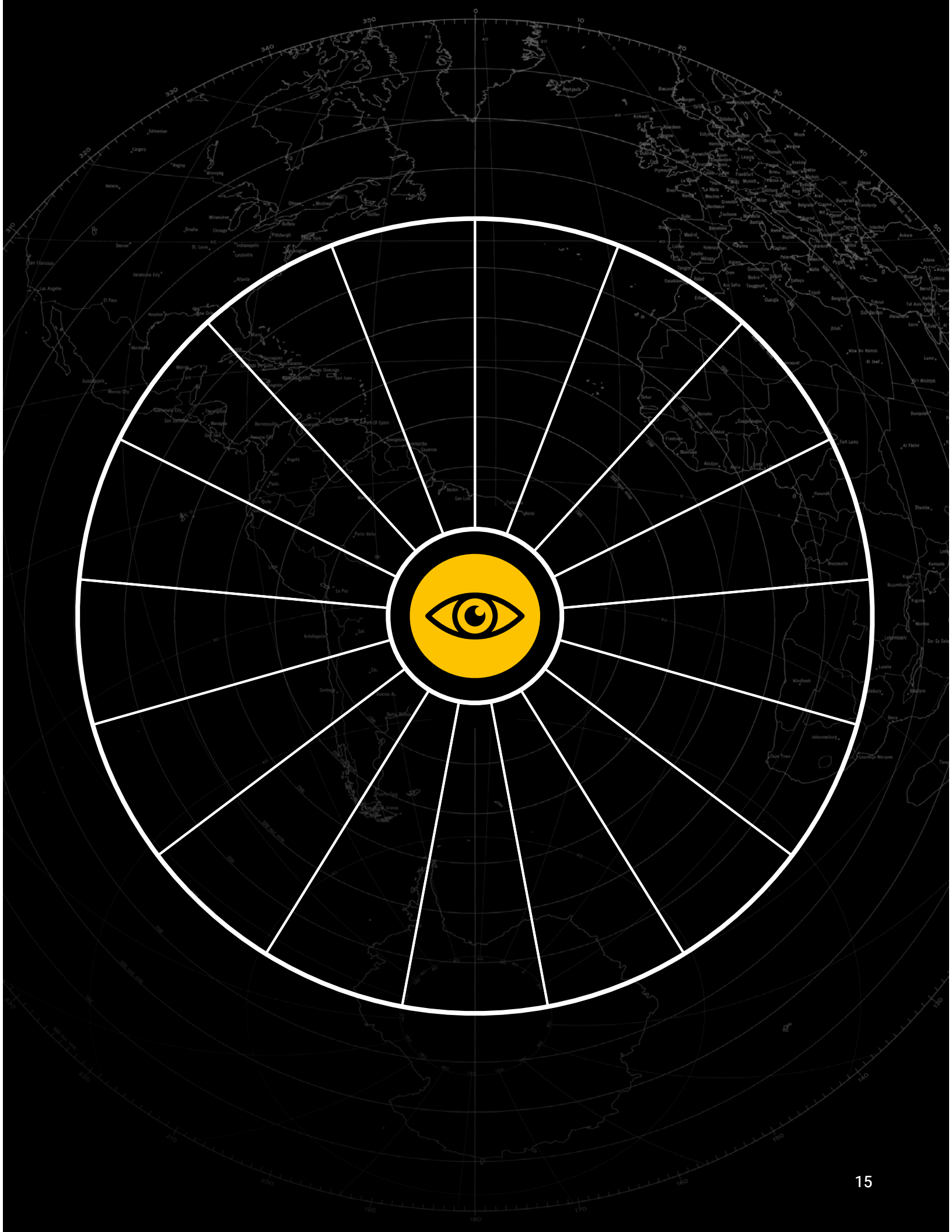
Confluence between developments in environmental governance and the integrated approach to sustainable development of the 2030 Agenda in Latin America and the Caribbean: trends and analysis variables



Chapter

2

Institutional Environmental Progress



2.1.

Institutional developments in environmental matters

According to the report “Global Environment Outlook: Latin America and the Caribbean Region (GEO 6)”, environmental policies are evolving “from a centralized decision-making style to the highly federalized periphery and more participatory approaches of the states, as in Brazil, and from fragmented governance to a more centralized coordination of regulatory resources, as in the Caribbean” (UN Environment, 2016: 125).

These changes were accompanied by changes in “environmental institutionality,” defined as the set of formal public organizations aimed at managing the environmental problematic of a specific jurisdiction, made up of a variety of stakeholders, governed by a specific legal framework, and positioned in relation to certain social, historical, political and economic contexts (Juliá, *et. al.* 2008: 14-15).

Today, the responses to the environmental challenges that weigh on the region and its countries require public policies that integrate environmental sustainability, in a transversal manner, in all development efforts. Thus, the reference to environmental institutionality increases in relevance, especially in playing a key role in ensuring the balance between the three dimensions of sustainable development (UN Environment, 2015: 3). To this end, leading environmental management institutions must be empowered to address this challenge- a process that is taking place in the region through the creation of, for example, environment ministries

that address environmental management more effectively and with more political weight (ECLAC, 2015). These processes of institutional hierarchization have been accompanied by the incorporation of environmental criteria in national development planning (Valdez Muñoz, 2013).

As a result, over the last years there has been a process of rationalization of environmental management at the national level, which contrasts with the proliferation of forums and headquarters of the secretariats of Multilateral Environmental Agreements and the intergovernmental organizations created to monitor them (Guimarães *et. al.*, 2002: 26).

As a particularity, it should be noted that, in the Caribbean, unlike what has occurred in Latin America, there is a tendency to assign national policy planning, including environmental policy, to areas associated with economic and financial management. This is the case in Saint Vincent and the Grenadines, which has a Ministry of Health, Welfare and Environment, but where the institution responsible for national planning is the central division of the Ministry of Finance and Economic Planning. In Antigua and Barbuda, public policy planning is under the Ministry of Finance and Corporate Governance. In the Bahamas, national planning is centralized in the economic development and planning unit of the Prime Minister’s Office. With few variations, the situation is also seen in Barbados, Belize, Dominica, Haiti, Saint Lucia and Trinidad and Tobago.

This structure has the advantage of unifying and making more cohesive government policy planning processes, but special attention must be paid to the risk of prioritizing economic elements over social and environmental ones. Ensuring the proper application of the integrated approach to sustainable development has maximum relevance in these cases.

2.2.

Increase in the environmental institution hierarchy

The incorporation of environmental management within the functions of the State began in the 1970s with a strong tendency towards the creation of coordination bodies. In effect, until the 1990s, there was only one Ministry of Environment, in Venezuela (UN Environment, 2001). However, today we can affirm from observing the environmental institutions in the region, that there is a clear tendency towards increasing the hierarchy of environmental portfolios within the government's organizational structure. Almost all countries in the region have Ministries of Environment, and the term "Sustainable Development" has been increasingly used in their denominations.

This process recognizes that, notwithstanding the progress in environmental management in the region to solve or prevent certain problems, it is necessary to strengthen the response capacity of existing administrative systems in view of the increasing severity and complexity of environmental problems. Frequently, the role of public environmental management in the region was initially designed in a limited manner, without taking into consideration all the complexities of the ecosystems and the interrelationships of their components, or the links that exist between the environment and development (UN Environment, 2001). Consequently, the activities of environmental administrations have been reduced to the sectoral addressing of some environmental problems

via remedial solutions. On the other hand, the public agencies that are in charge of State environmental management have generally lacked the necessary political force and the indispensable human, material and financial resources for this task. Added to this is the fact that financial crises have severely affected them, and they have had to significantly adjust policies.

The increase in the hierarchy for addressing environmental issues undoubtedly supports the response to these challenges. In the context of implementing the 2030 Agenda, it is an important way to ensure the implementation of the environmental dimension of sustainable development. Since 2010, fifteen processes of **hierarchization of environmental management structures** have taken place in the thirty-three countries of the region², with this tendency being more pronounced in Latin America than in the Caribbean.

The most recent cases are Chile, which, in 2010, went from having a National Environment Commission to having a Ministry of Environment, an Environmental Information Service, a Superintendency of the Environment and three environmental courts for the South, Central and North regions, respectively; and Argentina, which created its Ministry of Environment and Sustainable Development in 2015, succeeding the Environment and Sustainable Development Secretariat, dependent on the Cabinet Office of Ministers. Paraguay recently underwent a similar process: in July of 2018, the Environment Secretariat was transformed into the Ministry of Environment and Sustainable Development.

² They are: Antigua and Barbuda, Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guyana, Honduras, Jamaica, Panama, Peru, Dominican Republic and Venezuela.

Box 3

Environmental courts applying the integrated approach in the judicial sector

Improving the democratic rule of law, access to justice and the resolution of environmental disputes is essential for the 2030 Agenda and for achieving SDG 16 (Peace, justice and strong institutions). The specialized Environmental Courts and Tribunals are widely recognized as a mechanism to achieve these goals (UN Environment, 2016d).

The creation of environmental courts is a new occurrence in the institutionality of Latin America and the Caribbean and should be closely monitored.

The most direct antecedent to the environmental courts was the creation of Costa Rica's Administrative Environmental Court (non-judicial) in 1995, which still acts as a deconcentration body of the Ministry of the Environment, with functional independence to address compliance failures not appealable via administrative channels.

In the case of Chile, the first country to create special jurisdictional bodies on environmental matters, the courts enjoy autonomy and independence, and their main function is "to settle environmental disputes within their jurisdiction and to address other matters that the law submits to their knowledge" (Law

20.600, Article 1), handing down judgments that are mandatory for the involved parties.

El Salvador was the second country to create environmental courts, taking that step in 2014 with the establishment of first instance environmental courts and an environmental chamber of appeals, with jurisdiction to try and judge civil lawsuits that arise from acts against the environment.

2.3.

Expansion of the scope of environmental portfolios

In addition to the processes of environmental institutional hierarchization, there is a regional tendency to broaden the powers of action of the highest national environmental policy portfolios. Since the beginning of 2010, twenty countries have expanded the scope of their highest environmental institutions.

This increase in powers is associated with a more integrated and complex understanding of environmental issues, the strengthening of the capacity to apply and effectively control environmental protection measures and the renewed views of nature of Latin American indigenous peoples, such as the Quechua concept of Sumak Kawsay or the Aymara concept of Suma Q'amaña. These refer to the ancestral worldview of life and have been the basis of a political proposal developed principally in Ecu-

dor and Bolivia associated with “Buen vivir” or “Vivir bien” [“Good life” or “Live well”].

At the same time, the management of environmental disaster risks and the greater attention given to the causes and consequences of climate change have contributed to increasing the scope of action of the institutions responsible for managing the environment, as will be seen in the following section.

Box 4

Examples of ways to expand powers in the environmental sector

In 2012, through its *Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir Bien* [Framework Law on Mother Earth and Integrated Development to Live Well], Bolivia expanded the basis for the actions of its Ministry of Environment and Water by incorporating powers associated with the promotion of *Vivir Bien*.

The Environmental Department of Antigua and Barbuda’s Ministry of Health and Environment was strengthened in 2015, granting it the authority to oblige any person in the country to adhere to the best environmental practices and to manage the Sustainable Island Resource Framework Fund, aimed at strengthening the implementation of environmental regulations.

In 2017, with Decree No. 4, Panama created a Strategic Environmental Information System in which the Ministry of Environment participates.

2.4.

Climate change management: integrated efforts led by the environmental sector

Although Latin America and the Caribbean has contributed marginally to the causes of climate change, it is a region that is strongly exposed to its effects. The national management of climate change has gone beyond the borders of the environmental sector, expanding to other public sectors, with mitigation or adaptation strategies (or both). Environmental institutionality is playing a key role in helping to make this agenda more integrated and incorporated in the processes of national development planning and management.

Since 2012, when Mexico became the first country in the region to adopt a general climate change law (which was reformulated in 2016), important regulatory and institutional progress has been made in this area. Today, almost all countries have adopted policies to combat climate change and three of them have frameworks or general laws on climate change (Mexico, Paraguay and Peru, which passed law 30.754: Framework for Climate Change in Peru in April 2018).

The general trend in the region of creating policies and institutions to combat climate change is best served when the framework laws incorporate other laws that support the same goals. Today, the following countries have policies and/or legal strategies on climate change: Argentina, Belize, Brazil, Costa Rica, Ecuador, Peru, Dominican Republic and Honduras.

Argentina

Environmental institutionalization with shared powers in a federal context

The starting point for analyzing Argentina's institutionalization for environmental matters is its Political Constitution, which creates a federal government structure with three levels (national, provincial and municipal), granting each one exclusive and concurrent powers and functions. While the nation must address general issues, each province must complement national regulations with its own regional regulations, retaining all the powers not expressly delegated by the Constitution to the Federal Government.

In environmental matters, each province has the authority to manage its natural resources by exercising primary environmental powers, both in terms of financing and enforcement. However, the National State is responsible for guaranteeing a minimum level of protection.

Understanding the inclusion of the provinces in environmental management and the promotion of the 2030 Agenda requires recalling that the 1990s saw changes in the institutionalization of the national government in this area. In 1991, the Secretariat of Natural Resources and Human Environment of the Nation was created, with ministerial rank and directly dependent on the presidency. In 1999, the Secretariat of Natural Resources and Human Environment was restructured and renamed the Secretariat of Sustainable Development and Environmental Policy, under the directives of the Ministry of Social Development and without decision making autonomy.

In 2015, the law of ministries was modified (Decree No. 13 of December 10, 2015), creating the Ministry of Environment and Sus-

tainable Development with the mission to "coordinate the federal government policies that have an impact on environmental policy, establishing the strategic planning of the environmental policies and programs of the federal government."

In parallel to these changes at the national level, the formulation of provincial environmental policies advanced with changes to the constitutions of the provinces and through the formulation of their own general environmental laws. Of the twenty-four provinces that make up the country, including the Autonomous City of Buenos Aires, twenty-two have issued their own general environmental laws.

In addition, in order to strengthen management between the different levels of government, in 1990 the provinces created the Federal Council on the Environment (COFEMA), made up of represen-

tatives of the executive powers of each provincial jurisdiction.

In 2002, the country adopted the General Environmental Law 25.675, stating that COFEMA would be the basis of the Federal Environmental System. Subsequently, federal law 25.670 on Polychlorinated Biphenyls and law 25.916 on household waste made COFEMA the arena for consensus in these matters.

In November of 2016, COFEMA adopted the Federal Commitment on Climate Change and, in 2017, it issued a statement of concern about the United States exiting the Paris Agreement. Both events demonstrate the current relevance of this Council.


Since November of 2016, COFEMA's role has been complemented by the Federal Legislative Council on the Environment (COFELMA), composed of the

presidents and vice-presidents of the Environmental Commissions of the different provincial legislatures, and whose main mission is to promote the revision and creation of common legislative policies for environmental matters.

COFELMA's mission is to promote the revision of provincial legislation in accordance with the commitments assumed by the country under international

environmental agreements, thus becoming an enabling forum to promote federal policies aimed at the implementation of the SDGs with an integrated approach. This Council has proposed the creation of multi-stakeholder working forums aimed at monitoring the environment and the application of environmental legislation.

In addition to the work carried out by both COFEMA and COFELMA, the Argentine government has begun a strategy of involving the provinces in the process of adopting and implementing the SDGs through the signing of joint working agreements between the federal government and provincial executive bodies. As part of this process, the Argentine government published guidelines for adapting the SDGs at the local level for the municipal governments, involving them in this task.



Argentina

In addition to the above, there is the creation of specific inter-institutional commissions or committees. Since 2015, the following bodies have been created: the National Cabinet on Climate Change of Argentina, the Permanent Presidential Advisory Commission on Climate Change of Chile, the Forum on Climate Change of Brazil, the Citizen Advisory Council on Climate Change and the Scientific Council on Climate Change of Costa Rica, and the *Clima Plus* Climate Change Presidential Office of Honduras. To these we can add the existing institutional mechanisms in Mexico, Ecuador, El Salvador, Guatemala, Honduras, Panama and Uruguay.

2.5.

Inclusion of subnational and non-governmental stakeholders in environmental management

Another process observed in the region, which is also aligned with the commitments assumed under the framework of the 2030 Agenda, is the growing relevance of subnational stakeholders and the inclusion of non-governmental stakeholders in the management of environmental matters.

With respect to subnational participation, Mexico, Brazil and Argentina stand out. Although it is still too early to confirm this tendency of distributing responsibilities and adapting national legal frameworks to specific regional realities, the first two countries can be seen as advancing in this direction and, in both cases, the adoption of envi-

ronmental framework laws in the States has occurred, adhering to the guidelines of the national general laws.

With regard to promoting the participation channels of non-governmental stakeholders, there have been varied experiences that range from the signing of social agreements and the creation of Citizen Councils (Costa Rica) to the implementation of regional organization systems and participatory sustainable development (Uruguay).

In general, the region is moving towards an expansion of participatory spaces that are open to non-governmental stakeholders:

- The private sector has assumed a double role. It is an ally, with installed capacities for promoting the sustainable development of society as a whole and, at the same time, part of the primary solution for environmental problems, such as emissions and the generation of waste.
- With respect to civil society and academia, a vision aimed at strengthening the democratization and opening up of processes prevails, creating synergies and transparency in State management. Civil society is seen as a stakeholder and ally with ample capabilities. With respect to academia, there is the potential to take advantage not only of its role as a producer of knowledge, but also its capacity building and training expertise.

Other countries have also had experiences with the inclusion of non-governmental stakeholders, such as Honduras, with its National Environmental Advisory Council, involving civil society, academics and business representatives; Dominican Republic, whose Ministry of Environment and Natural Resources created the National Business Support Network for Envi-



ronmental Protection; Guatemala, which created the Mayan Environmental and Natural Resources Policy Unit and the Advisory Council on Environment and Natural Resources; and Panama, which created a national environmental advisory commission, aimed at promoting a dialogue with multiple stakeholders.

2.6.

Identification of gaps in the availability of environmental data

The monitoring and evaluation scheme associated with the 2030 Agenda makes data a fundamental asset both for transparency and accountability, as well as for the adoption of policies and the monitoring of their implementation. “Quality disaggregated data that is accessible, timely and reliable is needed to help measure progress and ensure that no one is left behind, since this data is essential for making decisions” (paragraph 48).

An analysis of the availability of data among the countries of the region to monitor each of the SDGs clearly demonstrates the existence of gaps in the environmental data. For example, SDG 13 (Climate action) and SDG 14 (Life below water) are among the three SDGs with the lowest production of monitoring indicators.

De acuerdo a la investigación desarrollada por la CAAccording to research based on the SDGs conducted by ECLAC (2017c), sixteen countries in the region reported having difficulties in measuring urban sustainability issues; fourteen reported difficulties in monitoring the health of ecosystems and the

environmental sustainability of economic growth processes and thirteen reported challenges in monitoring the state of biodiversity and the sustainability of production and consumption patterns.

At the same time, while Mexico, Ecuador and Brazil have a comparatively high regional profile of human resources dedicated to the production of statistics, Jamaica, Suriname, the Bahamas, Grenada and Saint Vincent and the Grenadines have significant shortcomings in this regard. To demonstrate these extremes, Brazil devotes 175 times more human resources to the production of environmental statistics than Saint Vincent and the Grenadines. Nonetheless, the study also demonstrates that the main obstacle to advancing the creation of environmental indicators is not so much the lack of human resources, but the lack of adequate financial resources and legal frameworks.

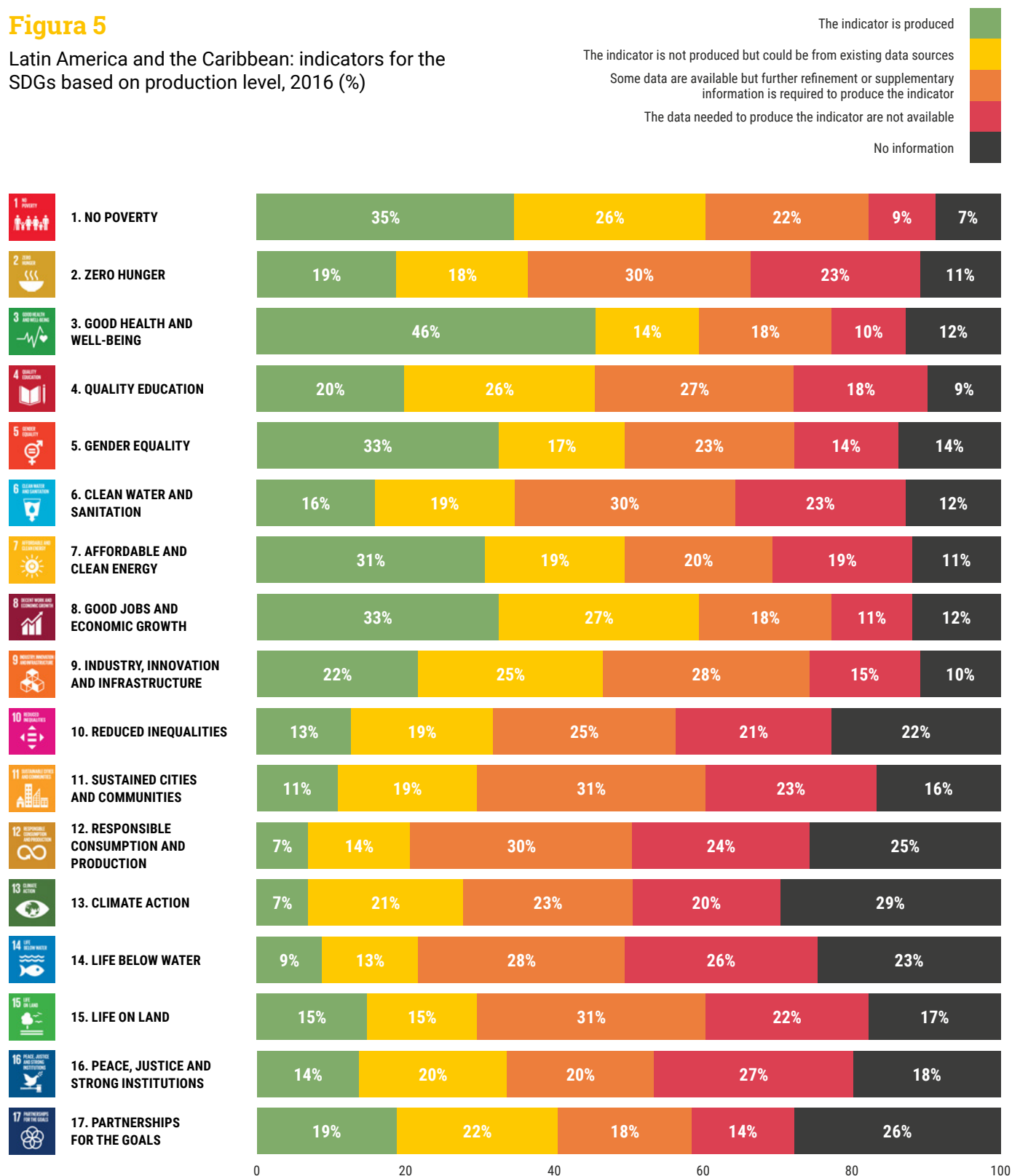
Regarding the creation of environmental statistics specifically, the countries of the region demonstrate heterogeneous capacities. However, an overview demonstrates the need for more and better quality environmental data. The lack of comprehensive databases is a reality in all the countries, which is why several of them have begun to take measures to overcome this problem, especially Colombia, Mexico, Brazil and Uruguay.

Despite the ongoing efforts, the gap between the production of social and economic data, on the one hand, and environmental data, on the other, is significant in all the countries. Its persistence implies a threat to decision-making and the implementation of policies based on an integrated approach to sustainable development.

At the same time, the heterogeneity of their situations, coupled with common challenges, opens up a fertile ground for bilateral and regional South-South cooperation aimed at correcting these statistical gaps.

Figura 5

Latin America and the Caribbean: indicators for the SDGs based on production level, 2016 (%)



Source: National Statistical Capacities Questionnaire for the Production of the SDG Indicators (ECLAC)

Box 5

The Latin American and Caribbean Initiative for Sustainable Development (ILAC)

Presented in the framework of the World Summit on Sustainable Development (Johannesburg, 2002), via the ILAC, the countries of the region agreed on general and specific economic, social and environmental goals. The XIV meeting of the Forum of Ministers of the Environment of Latin America and the Caribbean proposed, in 2003, to work on the development of environmental indicators to monitor these commitments and, in 2016, the ILAC was revised to align it with the 2030 Agenda and the SDGs. More than ten countries in the region have presented “ILAC National Reports,” including Argentina, Brazil, Colombia, Costa Rica, Cuba, Mexico, Nicaragua, Panama, Peru and Uruguay.

The ILAC is a successful tool for the promotion of essential (national) environmental indicators, the exchange of technical knowledge and the alignment of measurements aimed at achieving aggregate regional information for various purposes, including the regional monitoring of the SDGs.

It should be noted that, in keeping with the integrated approach, official data should be used in conjunction with access and use of quality data from other stakeholders: “There is already a considerable amount of data, in both the public and private sectors, universities, think tanks and community groups. The ongoing challenge continues to be the development of better coordination mechanisms between environmental, demographic, social and development data and information activities” (UN Environment, 2016: 19).

In spite of this, the forging of alliances for the production and/or management of environmental data is scarce in the region. There are concrete experiences in some countries, such as the collaboration between Cepei (civil society) and the Bogota Chamber of Commerce (private sector) for the consolidation of the latter’s data, or projects such as “Adopt a River” in Trinidad and Tobago, where, since 2013, the river communities have carried out monthly water quality tests, producing data for the Water and Sanitation Authority. The experience has been replicated in different national basins.

2.7.

Increasing development of integrated systems of economic-environmental accounting

Integrated work involving the production of environmental, social and economic data is essential. To this end, it has been necessary to advance in the

construction of environmental statistics that complement the national accounting systems.

The national accounting system is a standardized statistical framework, on an international level, for measuring the economic activity and trade of countries. In order to incorporate environmental data, the System of Environmental-Economic Accounting (SEEA) was created and officially adopted in 2012 as an international statistical framework for the integration of environmental and economic data.

In the region, progress towards the implementation of these systems has been uneven and is still incipient, as can be seen in the table below. Interest in the use of environmental accounting is clear. However, there is still an extensive list of countries that are not progressing in the effective implementation of these systems, and even among those that are using them, there is still a need to strengthen their use. According to the World Bank's WAVES program, only Chile, Colombia, Costa Rica and Mexico have a high level of institutionalization of their environmental accounting programs.

Figure 6

From environmental data to national accounting systems

Source: the authors

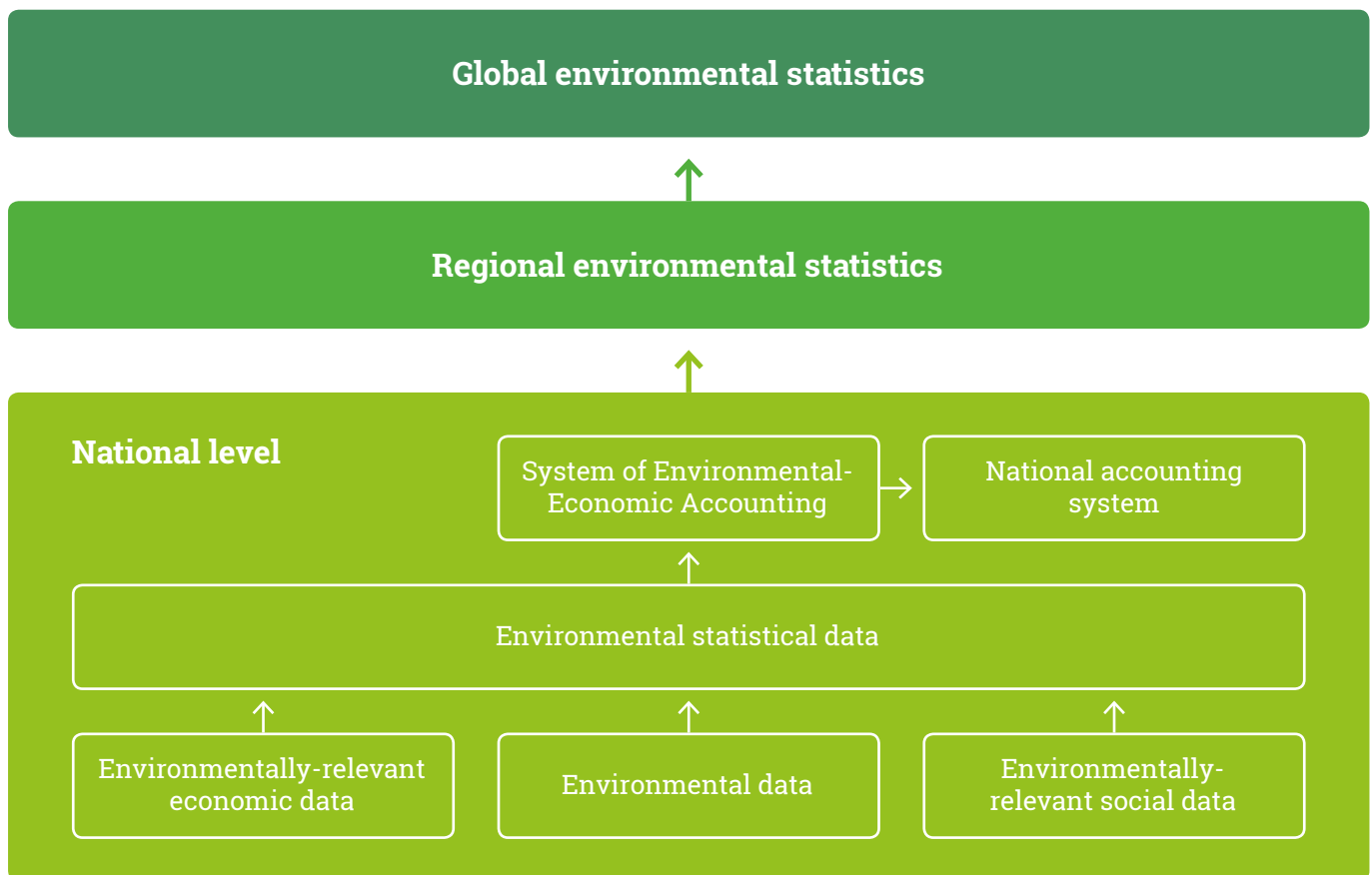


Table 1

Status and progress in the implementation of economic-environmental accounting in Latin America and the Caribbean, 2017

Source: ECLAC, 2017c.

Ongoing work in more than 5 environmental accounts	Ongoing work in more than 2 environmental accounts	Working on the first pilot accounts	No program of environmental accounting, but interested in creating one	No environmental accounting programs
Colombia ⁽¹⁾⁽²⁾ Ecuador ⁽³⁾ Guatemala ⁽²⁾⁽⁴⁾ Mexico ⁽¹⁾⁽²⁾	Costa Rica ⁽¹⁾⁽²⁾	Brasil Chile ⁽¹⁾ Dominican R. ⁽³⁾ Jamaica Panama Paraguay Peru ⁽³⁾ Saint Lucia Uruguay	Bahamas Bolivia ⁽⁴⁾ Dominica Venezuela	Argentina Belize Cuba El Salvador Grenada Haiti Honduras Nicaragua San Vicente y las Granadinas Suriname Trinidad and Tobago

References:

- (1) Countries with a high level of institutionalization of their environmental accounting programs.
- (2) Countries that have publications on their environmental accounting (methodology/tables of results and indicators).
- (3) Countries that have publications on pilot accounts.
- (4) Countries that have publications on accounts made by research centers and/or universities.

By adopting an integrated approach, the Environmental and Economic Accounting System becomes a useful tool for monitoring the implementation of the 2030 Agenda at the national level. In addition to this, there is

the “Regional Community of Environmental Accounting” in Latin America and the Caribbean that promotes the use of environmental accounting in the countries of the region with the support of ECLAC and the World Bank.

Box 6**Programs and initiatives associated with the production of environmental data of an economic nature**

There are several programs and initiatives associated with the production of environmental data for the construction of environmental accounting systems, among them we can highlight:

The Economics of Ecosystems and Biodiversity (TEEB)

A global initiative launched in 2007 by the environment ministers of the G8+5 and Germany, focused on making visible the value of ecosystem services and biodiversity, and aimed at fostering its incorporation in decision-making at all levels, demonstrating its economic importance and suggesting how to integrate these values in decision-making processes. Its offices are located at UN Environment.

Wealth Accounting and Valuation of Ecosystem Services (WAVES)

A partnership led by the World Bank to promote sustainable development by ensuring

that natural resources are integrated into national development planning and economic accounting. Launched at the COP 10 (Convention on Biological Diversity), its objective is to help countries adopt and implement accounting systems to support policy design, create methodological approaches to ecosystem accounting, establish a global platform for training and the sharing of knowledge and promote international consensus on natural capital accounting.

Biodiversity Finance Initiative (BIOFIN)

Presented in 2012 by UNDP and the European Commission, and specifically linked to biodiversity indicators, this initiative seeks to respond to the global need to increase funding for the achievement of the goals established in the framework of the Convention on Biological Diversity, with a national and global focus, to generate a new methodological framework to facilitate the identification, development and implementation of financial plans and solutions based on evidence.

Table 2

Latin American and Caribbean countries that participate in the TEEB, WAVES and BIOFIN initiatives (*)

	WAVES	BIOFIN	TEEB
Argentina			✓
Belize		✓	
Brazil		✓	✓
Chile		✓	
Colombia	✓	✓	✓
Costa Rica	✓	✓	✓
Cuba		✓	
Ecuador		✓	✓
Guatemala	✓	✓	
Honduras			✓
Mexico		✓	✓
Nicaragua			✓
Peru		✓	✓

(*) In the case of WAVES and BIOFIN, the countries are members, but not in the case of TEEB, where it indicates the countries for which this initiative has generated reports.

2.8.

Participation of environmental institutional in national frameworks for the management of the 2030 Agenda

In general, the national institutions that address the environmental area participate in the bodies created to implement, monitor and evaluate the 2030 Agenda and the SDGs at the national level. This implies a qualitative change compared to the situation that existed during the implementation of the Millennium Development Goals (MDGs), where they did not play a dominant role. However, even today, when there is any kind of imbalance in the participation of policy makers from the three dimensions of development in the national implementation and monitoring of the SDGs, the environmental one is the first to be neglected (UN Environment, Cepei, 2018).

The Ministries of Environment already play a very important role within the inter-institutional mechanisms responsible for the planning, execution and monitoring of sustainable development through (UN Environment, 2016e):

- a. Participation in the political schemes for cross-sectoral coordination, both at the national and regional level.
- b. Support for the achievement of the SDGs, with specific action plans and the inclusion of specific goals in their sectoral plans.
- c. Partnerships with other key environmental and non-environmental stakeholders at national and local levels (civil society, communities, private sector) and at the global level (for example, multilateral environmental agreement groups).
- d. Creation of favorable conditions for more sustainable modes of production and consumption

(sustainable public purchasing, eco-labeling and R&D, among others)

- e. Collection and application of environmental data and analysis to ensure adequate decision-making in all sectors of development and policy coherence. This includes the responsibility for defining and monitoring specific indicators.

The main challenge for the environmental sector when participating in these arenas is to adopt a modern approach, applying its competence in a visionary manner that breaks with traditional approaches. This entails not only prioritizing the protection of ecosystems and minimizing the environmental impacts of economic activities, but also ensuring that environmental questions contribute positively to national priorities, demonstrating the multiple benefits of effectively implementing an integrated approach.

Table 3

Participation of the environmental portfolio in the national institutional framework for the implementation of the 2030 Agenda.

Country	Highest national environmental authority	Highest institution for national implementation of the 2030 Agenda	Participation
Argentina	Ministry of Environment and Sustainable Development	National Council for Social Policy Coordination	Yes
Bahamas	Ministry of Environment and Housing	National Development Council	No
Belize	Ministry of Agriculture, Forestry, Fisheries and the Environment, Sustainable Development and Immigration	Ministry of Economic Development	No
Brazil	Ministry of Environment	National Commission for the Sustainable Development Goals	Yes
Chile	Ministry of Environment	National Council for the Implementation of the 2030 Agenda for Sustainable Development	Yes
Colombia	Ministry of Environment and Sustainable Development	High-Level Inter-institutional Commission for the preparation and effective implementation of the post-2015 development agenda and the Sustainable Development Goals	Yes
Costa Rica	Ministry of Environment, Energy and Telecommunications	High-Level National Council on the Sustainable Development Goals	Yes
El Salvador	Ministry of Environment and Natural Resources	Mechanism for Political Coordination + Technical Mechanism - National Council for Sustainable Development (currently in development)	Yes
Guatemala	Ministry of Environment and Natural Resources	System of Development Councils, headed by the National Council for Urban and Rural Development	Yes

Country	Highest national environmental authority	Highest institution for national implementation of the 2030 Agenda	Participation
Honduras	Energy, Natural Resources, Environment and Energy Secretariat	General Secretariat of the Presidency and 6 sectoral cabinets (General Coordination of Government; Governance and Decentralization; Development and Social Inclusion; Economic Management and Regulation; Security and Defense; Economic Development)	Yes, but only through participation in one of the sectoral cabinets (Economic Development)
Jamaica	Ministry of Water, Territory, Environment and Climate Change	National 2030 Agenda Oversight Committee	Yes, but not in the Core Group
Mexico	Environment and Natural Resources Secretariat	National Council for the 2030 Agenda	Yes
Panama	Ministry of Environment	Inter-institutional and Civil Society Commission for the Support and Monitoring of the SDGs.	No
Paraguay	Environment Secretariat	Inter-institutional Coordination Commission for the Implementation, Follow-up and Monitoring of the International Commitments assumed by the country under the framework of the United Nations Sustainable Development Goals	No
Peru	Ministry of Environment	National Center for Strategic Planning	No
Dominican Republic	Ministry of Environment and Natural Resources	High-Level Inter-institutional Commission on Sustainable Development	Yes
Uruguay	Ministry of Housing, Regional Planning and Environment	Planning and Budget Office	No
Venezuela	Ministry of People's Power for Eco-socialism and Waters	Council of Vice Presidents	No

Source: The authors, based on the National Voluntary Reviews on the implementation of the 2030 Agenda, presented to the High-Level Political Forum, 2016, 2017 and 2018.

Colombia

SDG decentralization and planning

Colombia was not only the country to propose the integrating concept of the SDGs to the world, but became the first country in the region to establish a specific institutionality for the national implementation of the 2030 Agenda. Colombia's experience helps to understand the integration of sectors within the government that work for the implementation of the 2030 Agenda and the creation of synergies between different government priority agendas.

A starting point to look at Colombia's structure of environmental management and the way in which it relates to the 2030 Agenda is its National Constitution, which, for the purpose of organizing the administration of the State and political representation, divides to the country into departments, districts, municipalities

and indigenous territories. This political-administrative division is the basis for policy design and the provision of public services, as well as for defining criteria for the allocation of resources by the central government.¹

Penagos (2003) notes that the Constitution endows the unitary State with decentralization, deconcentration and delegation through its articles 1 and 209, which result in territorial entities with administrative and fiscal autonomy and legal status, distributing the unitary State's functions.

In keeping with this, the country has strengthened the process of decentralizing environmental management, despite being a unitary State.

In fact, each department has a regional autonomous corporation that is responsible for managing environmental policy at the regional level with operational independence from the Ministry of Environment and Sustainable Development.

The second point to consider involves the responsibilities of this ministry (created by Law 99 of 1993 to reorder the public sector responsible for the management and conservation of the environment and renewable natural resources), which, in 2011,² received the task of ensuring sustainable development and supporting other ministries and state entities in the formulation of environment-related public policies

This scheme is aligned with the role played by the National Plan-

1 Source: DANE official website (<https://www.dane.gov.co/files/investigaciones/divipola/divipola2007.pdf>)

2 Decree 3570 of 2011



Colombia

ning Department for the implementation of the 2030 Agenda, which contributed to the inclusion of the SDGs in the National Development Plan 2014-2018 and the approval of the “SDG Implementation Strategy” (CONPES 3918 of March 15, 2018).

In this regard, during the Intersectoral Meeting of the Forum of Ministers of the Environment of Latin America and the Caribbean, held in Mexico City in 2015, Colombia emphasized the collaboration between different levels of government and public and private sector stakeholders (UN Environment, 2015: 4-5) for the definition of development objectives for the country, which would be closely aligned with the SDGs.

One element that has contributed to solidify this whole process has been the creation of the High-Level Commission for the Adoption and Effective Implementation of the 2030 Agenda and its SDGs, the first body in the world created to implement the new agenda and in which the Ministry of Environment and Sustainable Development participates.

To improve the work of this Commission, a Technical Committee was created, composed of its member entities and organized in five working groups: mobilization of resources (international, domestic and other resources), communications, territoriality, indicators and international.

Finally, we can highlight the work done by Colombia to demonstrate the alignment between its own national development plan, the 2030 Agenda and the commitments resulting from the Peace Agreements between the government and FARC, revealing the three processes as synergistic and capable of reinforcing each other, and thus avoiding competition for resources to implement each of them.

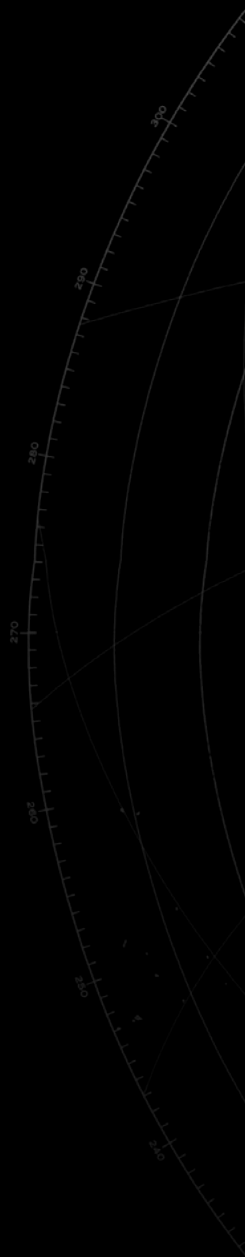
The work carried out to identify and take advantage of different confluent agendas has led the Colombian government to identify the synergies that exist between the commitments assumed by the country under Multilateral Environmental Agreements, especially the agreements on chemical substances and health, biodiversity and climate change and the 2030 Agenda.

Regarding climate change, for example, the country has begun to identify how the emission reduction targets, adaptation and means of implementation that it presented in 2015 before the United Nations Framework Convention on Climate Change are related to compliance with the SDGs. These targets are addressed in the National Development Plan 2014-2018 and they are making efforts so that this link is made explicit in the following plan.

3

Chapter

Environmental Regulatory Progress



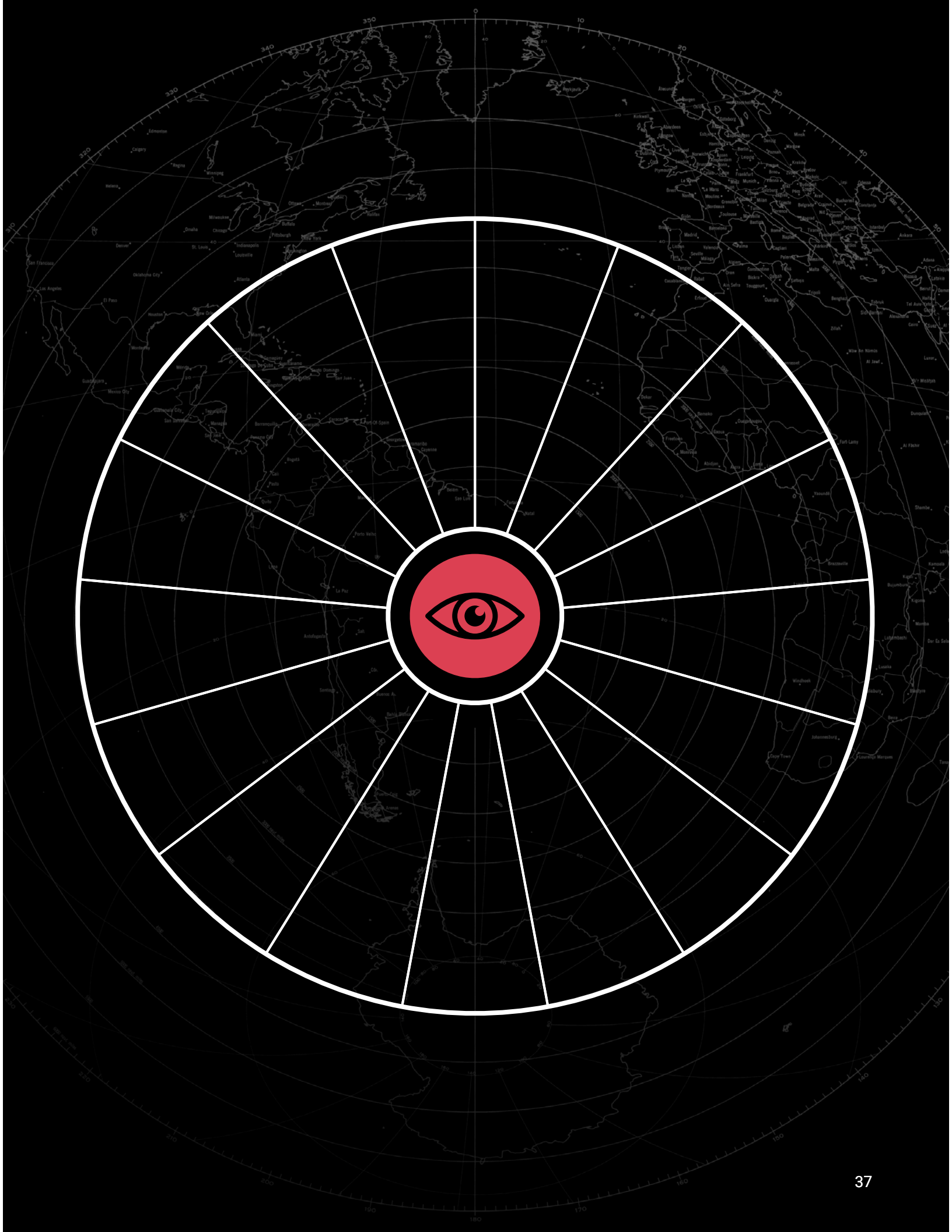


Table 4

References to the environment in the Political Constitutions of Latin American and Caribbean countries.

Source: the authors

Country	Includes explicit references to environmental protection
Antigua and Barbuda	
Argentina	✓
Bahamas	
Barbados	
Belize	✓
Bolivia	✓
Brazil	✓
Chile	✓
Colombia	✓
Costa Rica	✓
Cuba	✓
Dominica	
Ecuador	✓
El Salvador	✓
Grenada	
Guatemala	✓
Guyana	✓
Haiti	✓
Honduras	✓
Jamaica	✓
Mexico	✓
Nicaragua	✓
Panama	✓
Paraguay	✓
Peru	✓
Dominican Republic	✓
Saint Kitts and Nevis	
Saint Lucia	
St. Vincent and the Grenadines	
Surinam	✓
Trinidad and Tobago	
Uruguay	✓
Venezuela	✓

3.1

New Latin American constitutionalism: priority for sustainable development and change in the vision of the environment

The reference to environmental questions in Latin American and Caribbean national constitutions began in the last century with the Mexican Constitution of 1917. The components of the “new Latin American environmental constitutionalism” appeared in the 1970s and 1980s with the influence of the Stockholm Conference of 1972 and the Brundtland Report of 1987 and continued to be developed in the 1990s with the Rio Conference.

The environmental matters currently regulated in the Political Constitutions are numerous, but they are fundamentally based on the recognition of the right to a healthy, clean and balanced environment. The following are the main constitutional changes (UN Environment, 2001: 12-13): “first, it establishes the duty of the State to protect the environment; then, this duty extends to society as a whole and restrictions are authorized for the exercise of fundamental rights; at the same time, it begins to incorporate the right to an adequate environment, along with other fundamental rights, and to guarantee their expression; later, the establishment of the link between the environment and development begins, prescribing that the economy must be oriented towards a model of sustainable development; and, finally, the protection of certain specif-

ic components of the environment is regulated: genetic heritage, wild flora and fauna, certain specific regions of the region, such as the Amazon and others, as well as establishing certain constitutional bases for specific issues to be developed with environmental legislation, such as the prior evaluation of environmental impacts, the prohibition of dangerous residues, the environmental effects of mining, the location of industries that have nuclear reactors and many others.”

This confirms the increasing importance placed on the environment by the countries of the region. Furthermore, it confirms a departure from a perspective characterized by the economic use of natural resources towards one that protects the intrinsic value of the environment. On this basis, the region is contributing to the establishment of a “human right to a risk-free, clean, healthy and sustainable environment” on a global scale.

Box 7

Towards a human right to a clean, healthy and sustainable environment

In 2012, the Human Rights Council of the United Nations appointed John H. Knox as Special Rapporteur on human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment. Following a renewal in 2015, his mandate ended at the beginning of 2018 with the presentation of his “Final Report” (A/HRC/37/59), which states that

“on the basis of the experiences of the countries that have established Constitutional rights to a healthy environment, the recognition of that right has shown to have real advantages. The visibility and importance of environmental protection has increased and has served as the basis for the enactment of stronger environmental laws (...). On the basis of this experience, the Special Rapporteur recommends that the Human Rights Council consider the possibility of supporting the recognition of that right in a global instrument” (paragraphs 13 and 14).

3.2.

Growing relevance of environmental issues in national development agendas

In recent years, environmental issues have grown in presence and relevance in the planning documents among Latin American and Caribbean countries. This is due, in part, to the adoption of the 2030 Agenda, but it is undoubtedly a long-term process tied to the commitments to sustainable development made

by the countries of the region following the first international Summit on this topic.

These processes, as pronounced in Latin America as they are among Caribbean countries, are aligned, to a greater or lesser degree, with an integrated approach to sustainable development and mark a trend towards greater inclusion of transversal environmental variables in public policies.

The planning documents selected by the States in the region to express their commitment to environmental action are the national development plans or strategies, and only in six countries, of the thirty-one that have adopted and put into effect development planning documents, fail to mention the environment and transversality in their documents, or especially mention it as a pillar of development or strategic area of work.

Table 5

Presence of environmental considerations in the main development planning documents among Latin American and Caribbean countries

Source: the authors

Country	Strategy / National Development Plan	Inclusion of environmental considerations
Antigua and Barbuda	Medium-Term Strategic Development Plan of Antigua and Barbuda (2015-2019)	✓ (3)
Argentina	Government of Argentina Objectives (2)	✓ (3)
Bahamas (1)		
Barbados	Barbados Growth and Development Strategy 2013-2020	✓
Belize	National Development Framework for Belize 2010-2030	✓
Bolivia	Economic and Social Development Plan within the <i>vivir bien</i> Integrated Development framework 2016-2020	✓
Brazil	Multi-annual Plan 2016-2019: Development, Productivity and Social Inclusion	✓
Chile	Program of the Government of Chile (2018-2022) (1)	✓
Colombia	National Development Plan 2014-2018	✓
Costa Rica	National Development Plan 2015-2018 "Alberto Cañas Escalante"	✓
Cuba	National Plan for Economic and Social Development to 2030:	✓
Dominica	Growth and Social Protection Strategy 2014-2018	✓
Ecuador	National Development Plan 2017-2021: <i>Toda una Vida</i>	✓

Country	Strategy / National Development Plan	Inclusion of environmental considerations
El Salvador	Five-Year Development Plan 2014-2019. A productive, educated and safe El Salvador	✓
Grenada	Grenada National Sustainable Development Plan 2030	✓
Guatemala	<i>K'atun Nuestra Guatemala 2030</i> [K'atun Our Guatemala]	✓
Guyana (1)		
Haiti	Strategic Development Plan for Haiti	✓
Honduras	Country Vision 2010-2038 and National Plan 2010-2022	✓
Jamaica	Vision 2030 Jamaica	✓
Mexico	National Development Plan 2013-2018	✓
Nicaragua	National Plan for Human Development 2012-2016: "To continue transforming Nicaragua"	✓
Panama	Government Strategic Plan 2015-2019 (2)	✓
Paraguay	National Development Plan 2014-2030	✓
Peru	Bicentennial Plan: Peru to 2021	✓ (3)
Dominican Rep.	National Development Strategy 2010-2030. A journey of transformation towards a better country	✓ (3)
St. Kitts and Nevis	Adaptation Strategy in Response to The New EU Sugar Regime 2006 – 2013 of St. Kitts and Nevis (1)	✓ (3)
Saint Lucia	National Development Plan of Saint Lucia	✓
St. Vincent and the Grenadines	National Economic and Social Development Plan 2013-2025	✓
Surinam	Policy Development Plan 2017-2021	✓
Trinidad and Tobago	Vision 2030: National Development Strategy	✓
Uruguay	National Development Strategy Uruguay 2050	✓
Venezuela	Country Plan. Second Socialist Plan for Economic and Social Development of the Nation 2013-2019	✓ (3)

(1) Both Bahamas and Guyana are currently in the process of approving national development plans.

(2) Reference documents on development policy planning that are not national plans or strategies.

(3) Reports that do not include the environmental variable in an integrated manner or only mention its interaction with the economy.

3.3. Adoption of general environmental laws and for protection of specific sectors

As mentioned above, among the advances in the governance of development from an environmental perspective, we can cite the fact that there were

important environmental regulatory changes over a short period of time. In fact, there is a strong tendency to broaden and strengthen environmental laws in the countries of the region, mainly through the approval of general environmental protection laws (see table 7) and new regulatory bodies to protect or regulate particularly environmentally sensitive sectors.

In addition, adhering to the previously mentioned constitutional line, the conceptualization of the environment as "Mother Nature" (*Pacha Mama*) within the *Vivir Bien* framework has also entered the national legal texts in several countries, such as Bolivia, Ecuador, El Salvador and Guatemala.



Box 8

The regulatory path to environmental protection

The use of the regulatory channel to strengthen regulatory and environmental protection frameworks on specific issues is ongoing throughout Latin America and the Caribbean.

As an example, we can cite the approval of the following norms since 2015: Renewable Energy Act (2015, Antigua and Barbuda), Petroleum Act (2016, Bahamas), Sustainable Fishing and Aquaculture Law (2017, Bolivia); Law on Access to Biodiversity (2015, Brazil);

Recycling Law (2016, Chile), Review of the Animal Welfare Law (2017, Costa Rica), General Regulation of the Special Regime Organic Law of the Province of Galapagos (2017, Ecuador), Rules to prevent atmospheric pollution by ships (2016, Honduras); Tsunamis: characteristics and prevention specifications, warning and evacuation (2017, Mexico); Conditions and requirements for certifying scenic beauty environmental services in protected wild areas (2017, Paraguay); Sectoral Law on Biodiversity (2015, Dominican Republic); and the National Guidelines for regional management and sustainable development (2017, Uruguay).

This trend not only strengthens the obligation to include the regulations in the new policies that are created, but also marks the commitment of the governments of the region. It is a fundamental issue to the democratic order not only because of its sanctioning power for norms, but also for its representativeness and its exercise of supervision and control

over the activities of the executive branch. Parliamentary debates on environmental norms also offer the opportunity to increase the transparency of the decision-making processes for the adoption of laws and, in this sense, promote a debate that goes beyond the chambers of government. This trend should be strongly supported.

Table 6

General laws and main regulatory instruments for climate change management among Latin American and Caribbean countries

Source: the authors

Country	General environmental law (year adopted)	General law, action plan or policy on climate change (year adopted)
Antigua and Barbuda	Environment Management Act (2015)	
Argentina	General Law on the Environment (2002)	
Bahamas	Environmental Planning and Protection Bill (2017)	National Policy for Adaptation to Climate Change (2005)
Barbados	Barbados National Sustainable Development Policy (2004)	National Climate Change Policy (2012)
Belize	Environmental Protection (Amendment) Act (2009)	National Climate Change Policy, Strategy and Action Plan (2014)
Bolivia	Ley Marco de la Madre Tierra y Desarrollo Integral para Vivir Bien (2012) [Framework Law on Mother Earth and Integrated Development for Living Well (2012)]	
Brazil	National Environment Policy (1990)	Law to establish the National Policy on Climate Change (2009)
Chile	General Law on the Environment (2016)	National Action Plan on Climate Change (2017)
Colombia	Amendment to the General Law on the Environment (2000)	National Plan for Adaptation to Climate Change (2012); <i>Law being written</i>
Costa Rica	Organic Law on the Environment (1995)	Framework Law on Climate Change (2014)
Cuba	Environment Law (1997)	State Plan for Climate Change (2017)
Dominica		National Climate Change Adaptation Policy (2002)
Ecuador	Organic Environmental Code (2017)	National Climate Change Strategy (2009)
El Salvador	Amendment to the Environment Law (2012)	National Plan for Climate Change and Agro-climatic Risk Management for the Agricultural, Forestry, Fisheries and Aquaculture Sector (2017)
Grenada	----	Grenada Strategic Program for Climate Resilience (2011)
Guatemala	Law for the protection and improvement of the environment (1986, revised in 1993)	Framework law to regulate the reduction of vulnerability, mandatory adaptation to the effects of climate change and the mitigation of greenhouse gases (2013)
Guyana	Environmental Protection Act (1996)	
Haiti	Decree on environmental management and regulation of citizen conduct for sustainable development (2005)	
Honduras	Amendment to the General Environment Law of 1994 (2007)	Climate Change Law (2014)
Jamaica		Climate Change Policy Framework for Jamaica (2015)
Mexico	Revision of the General Wildlife Law (2018)	General Law on climate change (2012)
Nicaragua	General Law on the environment and natural resources. Revised text (2014)	
Panama	Single Text of the General Environment Law (2016)	National policy on climate change (2007)

Country	General environmental law (year adopted)	General law, action plan or policy on climate change (year adopted)
Paraguay	Decree 18831 to establish environmental protection norms (1986)	National Law on climate change (2017)
Peru	National Environment Policy (2009)	Framework law on climate change (2018)
Dominican Rep.	General Law on the Environment and Natural Resources (2000)	National Policy on Climate Change (2015)
St. Kitts and Nevis		
Saint Lucia		National climate change adaptation policy (2015)
St. Vincent and the Grenadines		
Surinam		Final National Climate Change Policy, Strategy and Action Plan for Suriname 2014-2021 (2015)
Trinidad and Tobago	Environmental Management Act (2014)	National Climate Change Policy (2011)
Uruguay	Environmental Protection Law (2000)	National Response Plan to Climate Change (2010)
Venezuela	Organic Law on the Environment (2006)	<i>Law in development</i>

3.4.

Development of regulatory frameworks for adapting to and mitigating the effects of climate change

Although we observed above that the use of legislation for specific environmental issues and areas is a trend in the region, we will now look at the specific case of climate change management. Although there are some general laws, in this ambit, the path followed by the countries of the region

is towards the adoption of adaptation and mitigation policies and plans that, in all cases, establish direct relations between the environmental, social and economic spheres.

These plans and policies could provide the basis for the promotion of the integrated approach in all relevant policies and the working experience of integrating variables could be systematized and shared as an exercise to advance the implementation of the 2030 Agenda.

As seen in the table above, of the eighteen countries that have adopted strategies or policies in this area, thirteen have done so since 2010 and nineteen countries have adopted both general environmental laws and frameworks to address climate change.

3.5.

Advances in environmental regulation at the subnational level

Although there are differences among the countries, linked to the different forms of political organization and distribution of powers between national and subnational governmental entities, there is an incipient trend toward greater political interaction between these levels in environmental efforts. This is also reflected in the regulatory area with the adoption of general environmental norms on a local scale.

We can highlight the cases of Argentina, Colombia (both are analyzed in more detail in the case studies), Brazil and Mexico and, on a smaller scale, Peru.

The diversity of local contexts is a determining factor for regulated sectors at the subnational level. Fishing, mining, water management and sustainable tourism are among the areas with a greater presence in local regulations. It is noteworthy that in both Mexico and Brazil almost all subnational states have their own framework laws to combat climate change.

3.6.

Towards overcoming the economic environmental perspective

As we observed with the new Latin American environmental constitutionalism, the region demonstrates a clear trend of moving away from environmental regulation from an economic perspective. All the countries of the region have taken steps in this direction, even when their exports are geared toward primary production (food or energy). This can create tensions in the application of environmental regulations that should be monitored and addressed when they appear, so as to promote the integrated approach to sustainable development as a framework capable of including both variables in the search for environmentally effective responses that take into account the national economic context.

Box 9

Some countries that are moving toward approaches beyond environmental economism



Barbados has a national sustainable development policy, created in 2004, aimed at ensuring that economic growth and development do not occur at the expense of national ecological capital.



In 2016, Chile approved a national program for sustainable production and consumption and implemented a series of “green taxes” in its 2014 tax reform.



Dominica’s strategy for economic growth and social protection 2014-2018 states that the ultimate goal is to achieve sustainable development and transform the economy.



Jamaica’s goal of economic growth, job creation and environmentally sustainable development led to the preparation of proposals, in 2016, for the transition to a green economy, which were included in the report *Green Economy Scoping Study for Jamaica*.



In 2000, Uruguay enacted Law 17.283 (General Law for the Protection of the Environment), in which Uruguay is defined as “Natural Country” from an economic, cultural and social perspective of sustainable development.



Venezuela’s “2013-2019 country plan” refers to “the fight against international schemes that promote the commodification of nature, environmental services and ecosystems.”

4

Chapter

Multilateral Environmental Agreements

and the implementation of the 2030 Agenda
in Latin America and the Caribbean

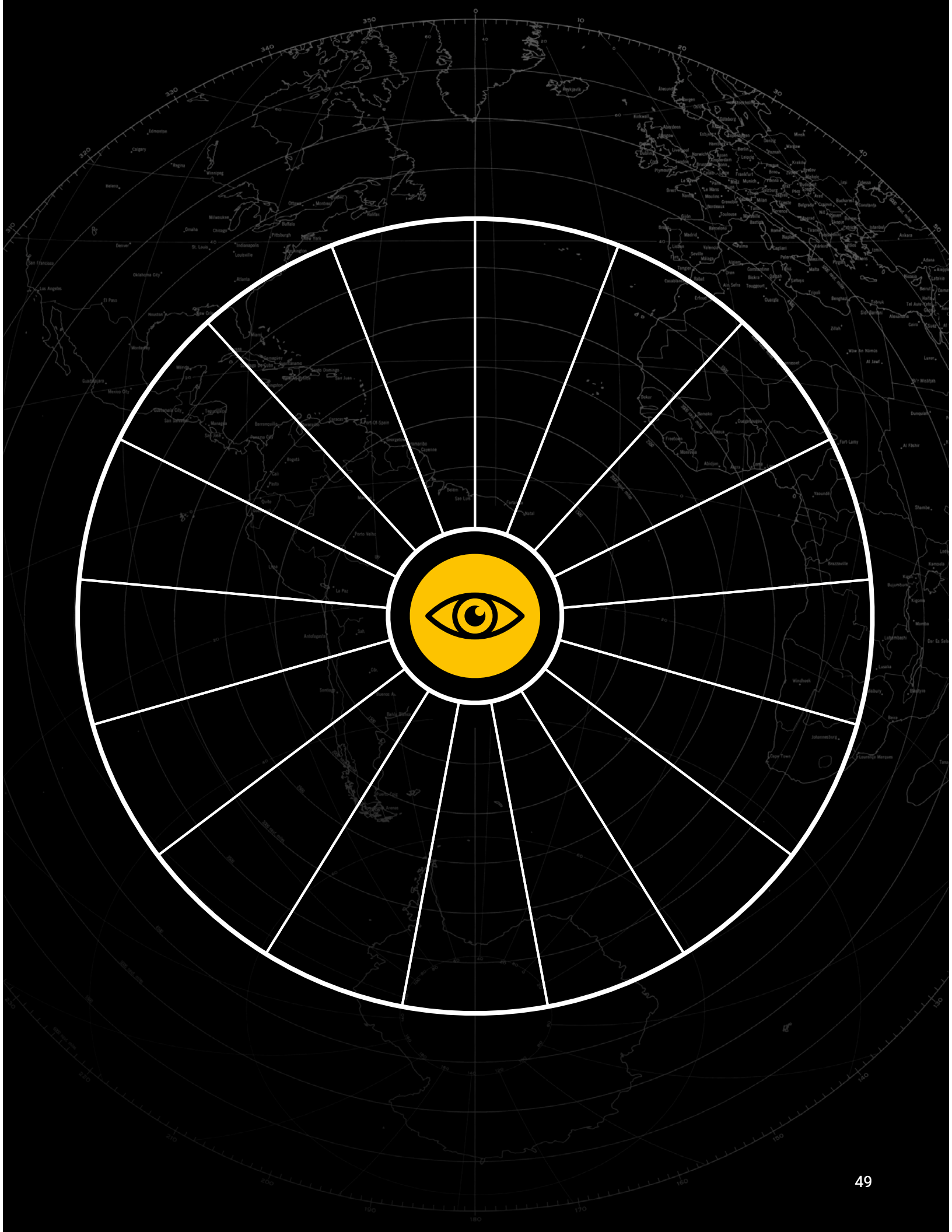
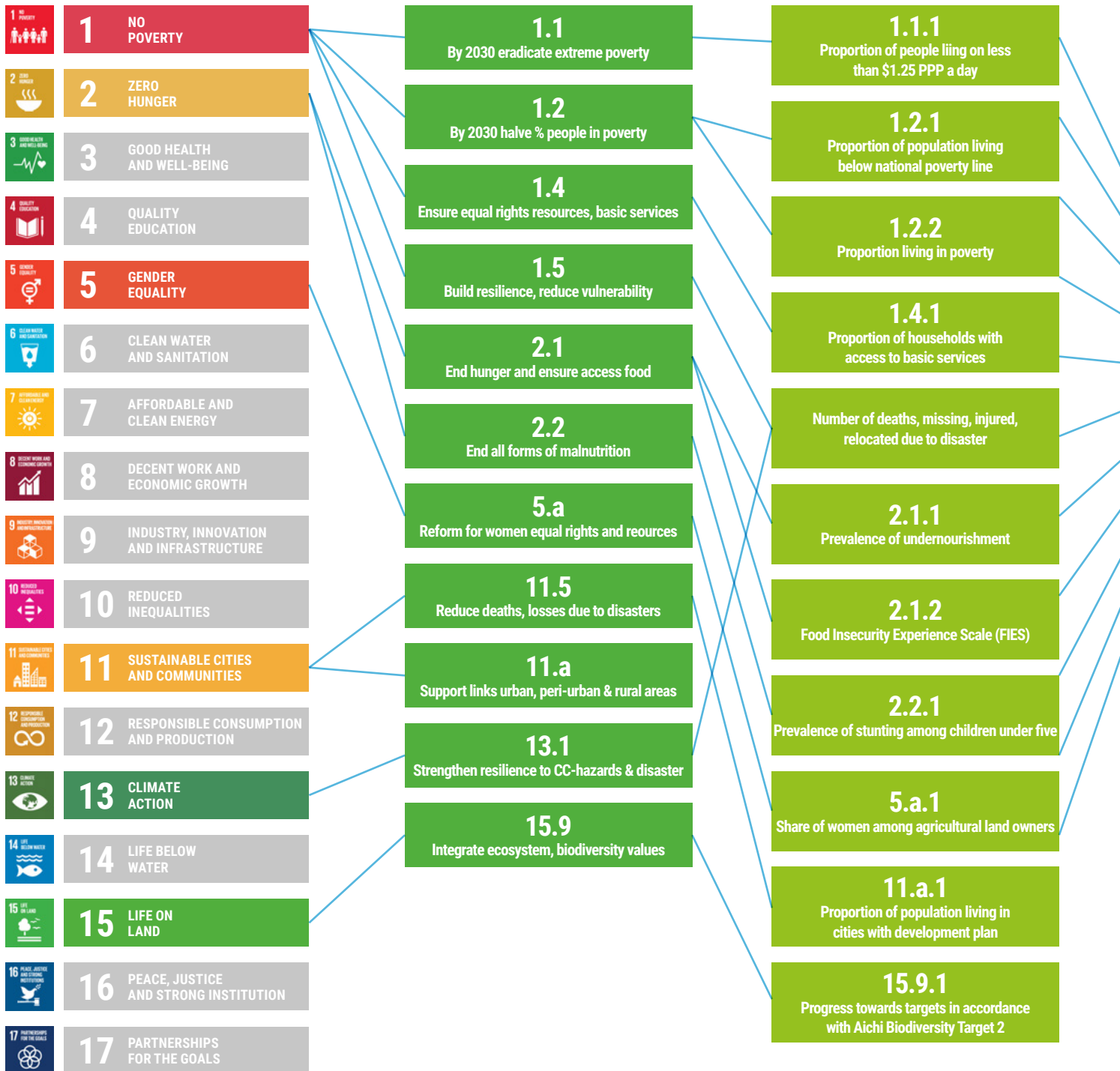


Figure 7

Synergies between objective 1 of the United Nations Convention to Combat Desertification and the SDGs, including the consideration of indicators

Source: UNEP Live, 2018.





Combat desertification

1. Affected populations

1.4.1
Trends in population
living conditions

4.1.

The projection of Multilateral Environmental Agreements in an Integrated Approach to Sustainable Development

In adopting the 2030 Agenda, the countries in the region reaffirmed their commitment to “the results of all the major United Nations conferences and summits, which have laid a solid foundation for sustain-

able development” (paragraph 11) and to “all the principles of the Rio Declaration on Environment and Development” (paragraph 12), adding that the “challenges and commitments mentioned in these important conferences and summits are interrelated and require integrated solutions” (paragraph 13).

In the environmental area, these statements, together with the integrated nature of the 2030 Agenda, closely associate the achievement of the SDGs to the implementation of Multilateral Environmental Agreements. In each of the SDGs there are elements directly related to these agreements, as well as explicit targets that refer to them. This is the case, for example, of target 2.5, which reflects a commitment assumed in the Convention on Biological Diversity³, 11.b, which refers directly to the Sendai Framework for Disaster Risk Reduction 2015-2030; and 13.a, which refers to the United Nations Framework Convention on Climate Change, among others.

We can also analyze the interactions between the SDGs and the Multilateral Environmental Agreements, from the perspective of the latter, and identify many synergies.

In addition, as part of the confluence between the environmental and development negotiations mentioned in chapter 1, different monitoring areas of the Multilateral Agreements have promoted the integration of the paradigm of sustainable development in their work.

3 “By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed.”

Box 10

Decisions adopted by the Conferences of the Parties (COPs) of Multilateral Environmental Agreements

Some examples of the integration of the 2030 Agenda

Decision XIII/3 of COP 13 of the Convention on Biological Diversity (Cancun, 2016) recognizes “the strong interdependence between the Strategic Plan for Biodiversity 2011-2020 and the Sustainable Development Goals.”

The 17th Conference of the Parties on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Johannesburg, 2016) entrusted its Standing Committee with the creation of a Working Group, with functions including reviewing progress in the implementation of the CITES Strategy Vision: 2008-2020, “taking into account the 2030 Agenda for Sustainable Development, and its goals and targets for Sustainable Development” (Decision 17.18).

The Convention on the Conservation of Migratory Species of Wild Animals decided at its 12th Conference of the Parties (Ma-

nila, 2017) that, subject to the availability of resources, its Secretariat should make “a report on the contributions for the achievement of the Sustainable Development Goals, using information gathered from national reports and from other sources” (Decision 12.105).

As a result, the integration of the Multilateral Environmental Agreements in the definition of policies aimed at achieving the 2030 Agenda and its SDGs is not only important, but also indispensable to its success. This chapter will analyze and make explicit the effects of this for Latin American and Caribbean countries.

4.2.

Adoption and implementation status of Multilateral Environmental Agreements in Latin America and the Caribbean

The countries of the region demonstrate a high level of ratification of Multilateral Environmental Agreements, as seen in the attached table. This could facilitate the incorporation of the obligations of these agreements in a political framework for the achievement of the SDGs, thus strengthening the coherence of policies for sustainable development with an integrated approach.

Along the same lines, ECLAC (Máttar and Cuervo, 2017: 28-29) affirms that the solution to the problems that affect the development of the region today requires the articulation of multiple strategies around “the idea of a large environmental push for equality and sustainability of development” capable of combining the multi-year planning of public investments, an increase in the participation of clean energy in the energy matrix, the development of technological capabilities, the creation of scientific centers to evaluate and support the implementation and monitoring of the expected contributions at the national level, the gradual withdrawal of subsidies for fossil fuels and the incorporation of environmen-

tal costs in the cost of bank assets- all of which are recognized in the Multilateral Environmental Agreements and included in the SDG targets.

In addition to these global agreements, the participation of Latin American and Caribbean countries in regional environmental agreements is also important, such as: the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention, 1983) and its protocols, and the recent Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (2018), based on principle 10 of the Rio Declaration of 1992.

Box 11

The Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters

This Regional Agreement was adopted on March 4, 2018 in Escazú, Costa Rica with the objective of “guaranteeing the full and effective implementation, in Latin America and the Caribbean, of the access rights to environmental information, public participation in the processes of environmental decision-making and access to justice in environmental matters, as well as the creation and strengthening of ca-

pacities and cooperation, contributing to the protection of the rights of each person, of present and future generations, to live in a healthy and sustainable development environment.”

As Erick Solheim, UN Environment’s Executive Director, points out, it is the first agreement in the world that includes provisions for human rights defenders in environmental matters.

ECLAC’s Executive Secretary, Alicia Bárcena, complemented this by noting that, under this Agreement, the region “offers a magnificent example of how to balance the three dimensions of sustainable development. By ensuring public participation in all decisions that affect it and establishing a new relationship between the State, the market and society, our countries reject the false dichotomy between environmental protection and economic development.” The full Spanish text of this agreement is available at: https://repositorio.cepal.org/bitstream/handle/11362/43595/1/S1800429_es.pdf

4.3.

A view of the Multilateral Environmental Agreements as a means to implement the 2030 Agenda

The importance of implementing Multilateral Environmental Agreements for achieving sustainable development has been widely demonstrated (Pisupati, 2012; UN Environment 2016b; UN Environment 2016c). There are approximately one hundred SDG targets with direct links to these agreements (for specific information on these linkages please consult UN Environment, 2016c). SDG 10 is the only one that does not have targets associated with these agreements, although it is understood that when the commitment is established to “facilitate the orderly, safe, regular and responsible migration and mobility of people, including through the application of planned and well-managed migration policies” environmental elements should be taken into account, such as risks to biodiversity, ecosystems, cultural assets and the natural heritage of humanity, the introduction of alien species into a region and other dangers that result from the massive movement of people.

The potential of Multilateral Environmental Agreements as a means of implementing the 2030 Agenda becomes evident for both meeting specific targets and for indirectly facilitating the achievement of others. By ratifying these agreements, the country must initiate a path towards the implementation of the norms and commitments expressed in them, which implies adopting both substantive and procedural measures.

Box 12

Examples of SDG targets with direct links to Multilateral Environmental Agreements

Target 1.4. By 2030, ensure that all men and women, particularly the poor and the vulnerable, have equal rights to economic resources and access to basic services, ownership and control of land and other assets, inheritance, natural resources, new appropriate technologies and financial services, including microfinancing. Directly related to the Convention on Biological Diversity.

Target 2.4. By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that strengthen the capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters, and that progressively improve land and soil quality. Directly related to the International Treaty on Plant Genetic Resources for Food and Agriculture.

Target 3.9. By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination. Directly related to the Basel Convention.

Target 6.6. By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes. Directly related to the Convention on Wetlands (RAMSAR).

Target 12.2. By 2030, achieve sustainable management and efficient use of natural resources. Directly related to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Target 14.4. By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics. Directly related to the Convention on the Conservation of Migratory Species of Wild Animals.

- The secretariat of the Convention on Biological Diversity has, among its responsibilities, the task of providing technical support to the members of the convention in legislative matters and for the adoption of political and administrative measures.
- The Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is empowered to make recommendations to the States for the implementation of the agreement.
- The Secretariat of the Convention on Wetlands (RAMSAR) oversees the implementation of the agreement at the regional level.
- The United Nations Convention to Combat Desertification empowers its secretariat to facilitate assistance to the Parties that are considered developing countries, in particular African countries, for the gathering and communication of information required under the Convention.
- The United Nations Framework Convention on Climate Change tasks its secretariat with the mission of supporting developing countries and working with financing mechanisms, such as the Global Environment Fund.
- The secretariat of the Cartagena Convention can convene meetings of experts to support the implementation of its protocol and to establish agreements with civil society organizations that carry out tasks in the regions of the States⁴.

Another element to consider is the importance of the institutionality created around Multilateral Environmental Agreements as a means to ensure that the environmental sphere of sustainable development is duly taken into account. The functions of the secretariats provide an institutionalized path for the countries to consider specific environmental issues in the creation of their policies and programs:

4 These references illustrate the general situation of the secretariats of the Multilateral Environmental Agreements, and may be extended to others not included here due to limited space.

A greater capacity for coordination among the secretariats of these agreements could translate into greater results if they act together on the global sustainable development agenda. Likewise, a greater involvement of the secretariats in the monitoring of the 2030 Agenda could result in analytical and data inputs, as well as recommendations for both the global and regional scenarios, which could be realized through Sustainable Development Forums; for example:

- The reports elaborated by the States as part of their compliance with the commitments assumed under the frameworks of Multilateral Environmental Agreements can be relevant inputs for the monitoring of the implementation of the 2030 Agenda and, specifically, for the preparation of the Voluntary National Reviews. Coordinating the presentation times of these reports can help this synergy become more visible and stronger.
- The teams that work on the elaboration of Multilateral Environmental Agreement reports should collaborate with the countries in the monitoring and reporting system for the implementation of the SDGs in order to take advantage of existing human capacities and to ensure the inclusion of the environmental dimension and advances in this area that work towards sustainable development.
- Peer review processes at the regional level, which operate within the frameworks of the Multilateral Environmental Agreements, should include aspects of SDG implementation so that the contributions of the reviewers strengthen the analyses.
- The regional work groups of the environmental agreements could be invited to participate, or request their inclusion, in the Regional Forums on

Sustainable Development, presenting their data to contribute to the implementation of the 2030 Agenda on a regional scale.

- The revision and updating of the action plans of the Multilateral Environmental Agreements secretariats should expressly include the alignment with and contribution to the implementation of the 2030 Agenda at a global and regional level.

4.4.

The Paris Agreement and the Nationally Determined Contributions

The adoption of the Paris Agreement on climate change in December of 2015, whose negotiations were permanently linked to those of the 2030 Agenda, represents an important step for sustainable development.

The Nationally Determined Contributions (NDCs) are one of the central elements of this agreement, expressing national commitments to reduce greenhouse gas emissions assumed by the member countries of the Conference of the Parties, taking into account their contexts and capabilities. These Nationally Determined Contributions also include mitigation, adaptation, financing and technological innovation actions to combat climate change.

Although these are essentially environmental documents, the elements presented so far clearly support that their implementation has resulted in progress in the implementation of the SDGs, in particular SDG 13 (Climate Action) and especially Target 13.2, which calls for the “integration of climate

change measures in national policies, strategies and planning.” In addition, the Nationally Determined Contributions complement or provide precision for the objectives included in national development plans, or create specific objectives for countries that do not have sectoral plans.

An analysis of the relationship between the priorities for climate change action and the SDGs demonstrates the close link that exists between the two, providing another reason for ensuring their alignment, integration and joint implementation. In particular, as

can be seen in the following graphs, the Nationally Determined Contributions of the countries of the region include a greater number of actions related to SDG 2 (zero hunger), SDG 6 (clean water and sanitation), SDG 7 (affordable and clean energy) and SDG 11 (sustainable cities and communities) compared to SDG 13 (climate action). The analysis also demonstrates the need to strengthen the inclusion of the issues related to SDG 16 (peace, justice and strong institutions), SDG 10 (reduced inequalities) and SDG 5 (gender equality) in climate change management.

Box 13

Some commitments included in the Nationally Determined Contributions



Brazil’s development plan includes the goal of generating and disseminating data, knowledge and technologies for climate change mitigation and adaptation. Its NDC provides greater certainty regarding the degree of expected progress, since it includes the commitment to reduce greenhouse gas emissions by 43% in 2030 (with reference to 2005 emission levels).



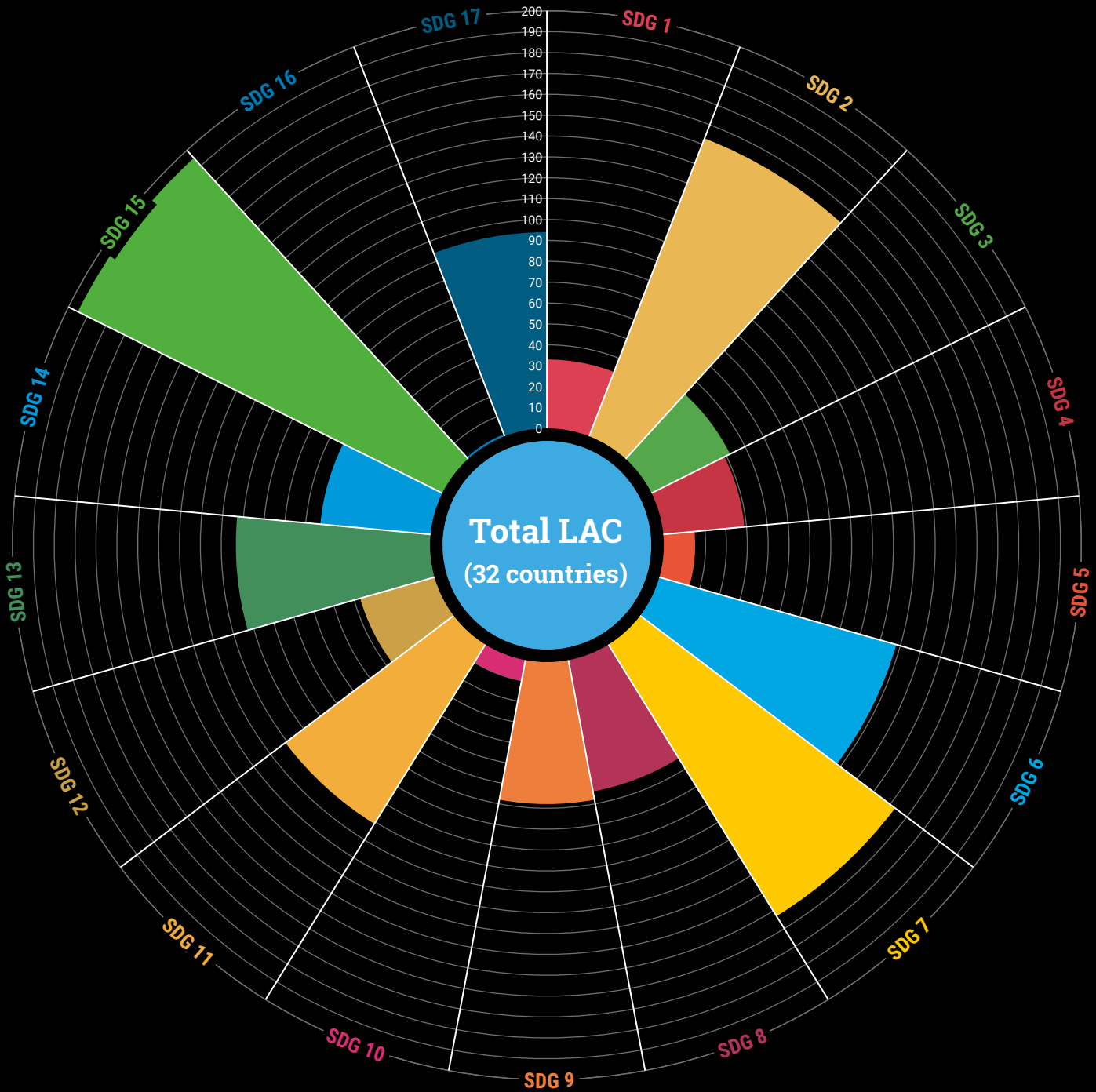
Mexico adopted an unconditional commitment to reduce its 2030 emissions by 25% (with respect to forecasted emissions) and a 40% reduction in the emission intensity of its economy in relation to GDP, even though its national development plan does not make this issue the main axis of its growth strategy.



Argentina does not have a national development plan, so its NDC to unconditionally reduce emissions by 15%, and its proposal of a conditional reduction of 30%, are particularly relevant for the country’s goal of sustainable development.

Figure 8.1

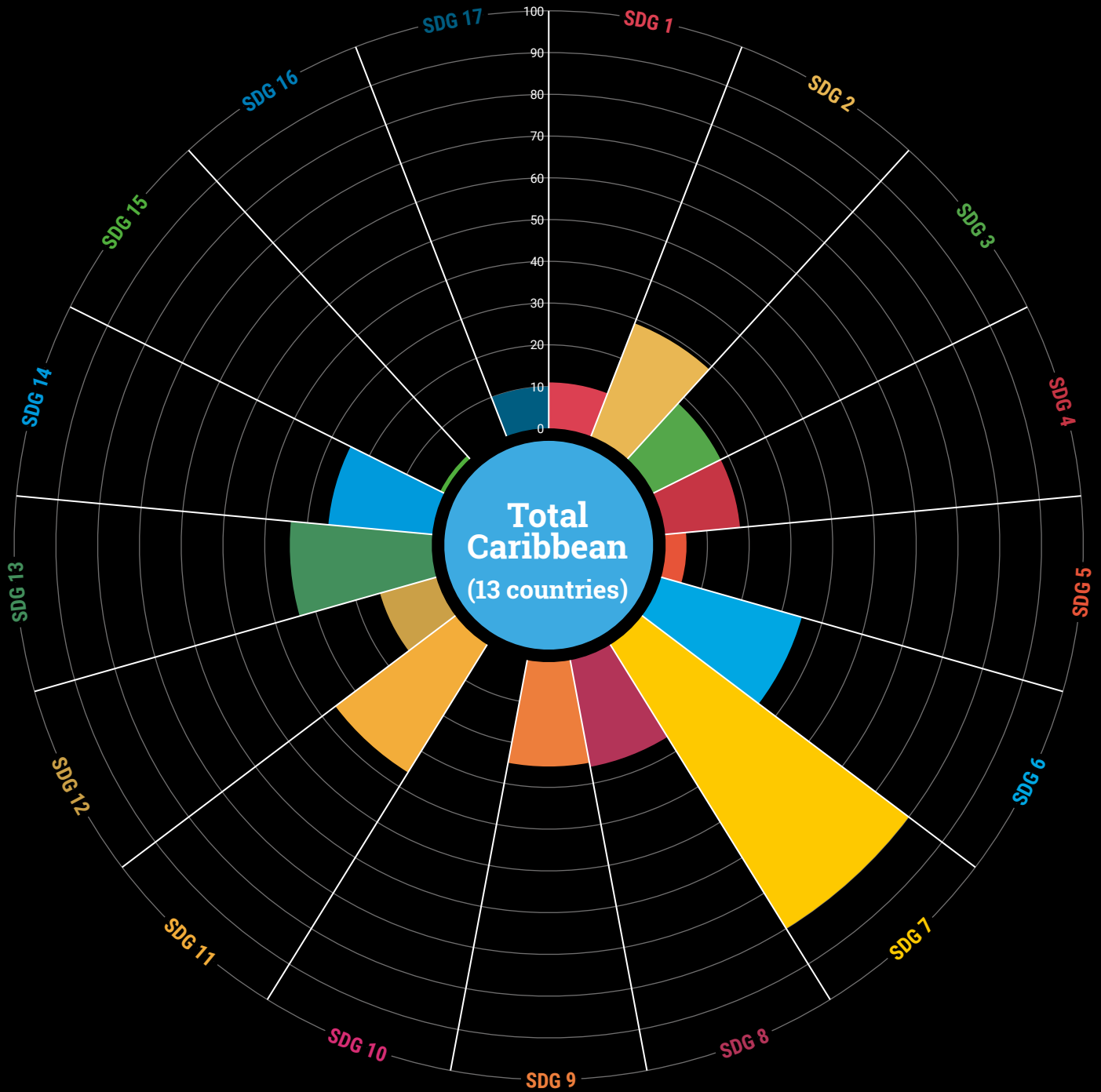
Relations between the Nationally Determined Contributions and the SDGs (regional level).



Source: the authors, based on the NDC-SDG, Deutsches Institut für Entwicklungspolitik (DIE) and the Stockholm Environment Institute (SEI), 2018.

Figure 8.2

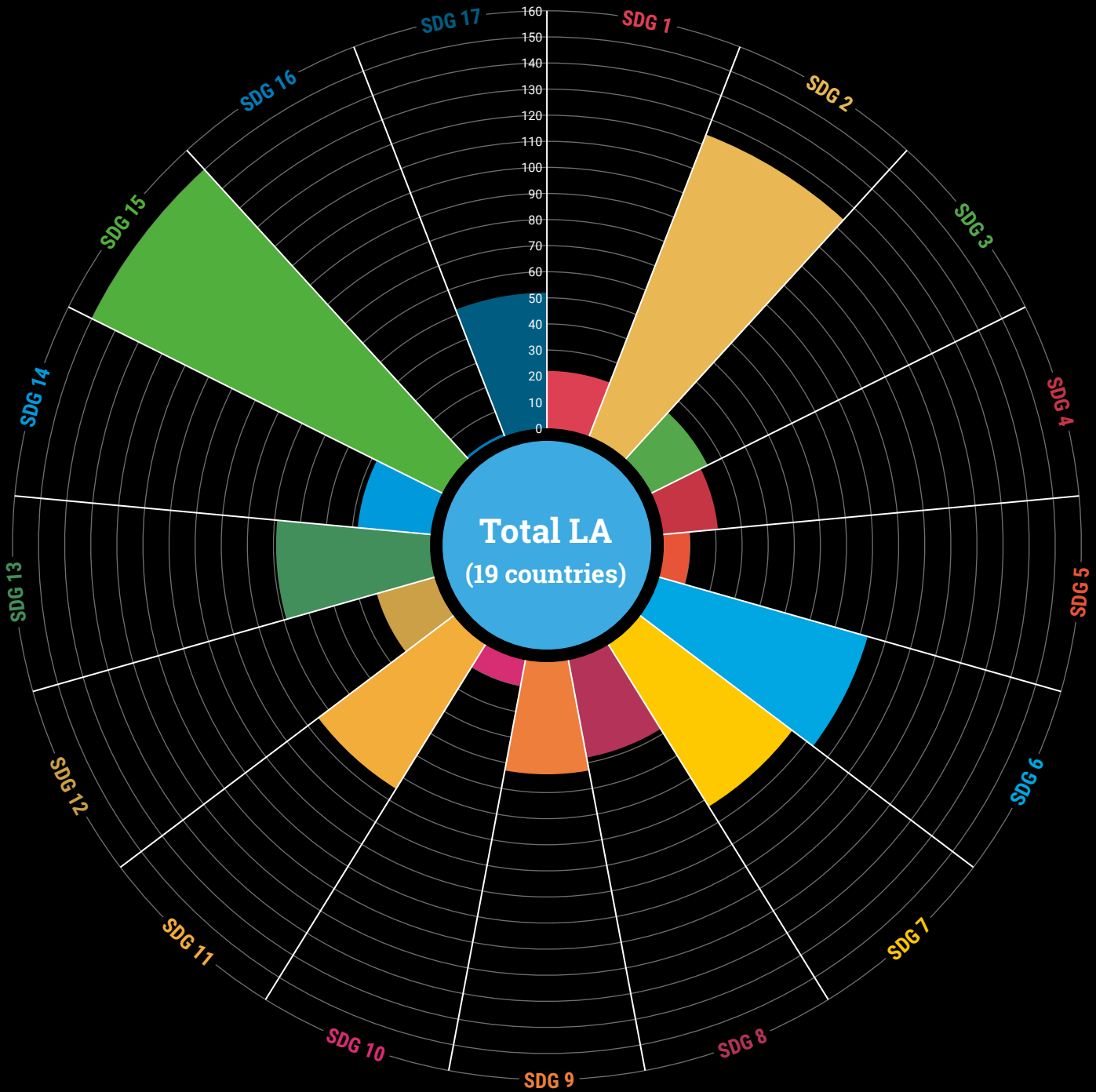
Relations between the Nationally Determined Contributions and the SDGs (subregional Caribbean).



Source: the authors, based on the NDC-SDG, Deutsches Institut für Entwicklungspolitik (DIE) and the Stockholm Environment Institute (SEI), 2018.

Figure 8.3

Relations between the Nationally Determined Contributions and the SDGs (Latin America).



Source: the authors, based on the NDC-SDG, Deutsches Institut für Entwicklungspolitik (DIE) and the Stockholm Environment Institute (SEI), 2018.



Jamaica

Strengthening the links between national development policies, the 2030 Agenda and the Convention on Biological Diversity

Shortly after adopting the 2030 Agenda, Jamaica undertook a rapid process of reviewing its national priorities and globally agreements, attaining a 91% alignment between the SDGs and the current Medium-Term Policy Framework, expressed in the document *Vision 2030 Jamaica*.

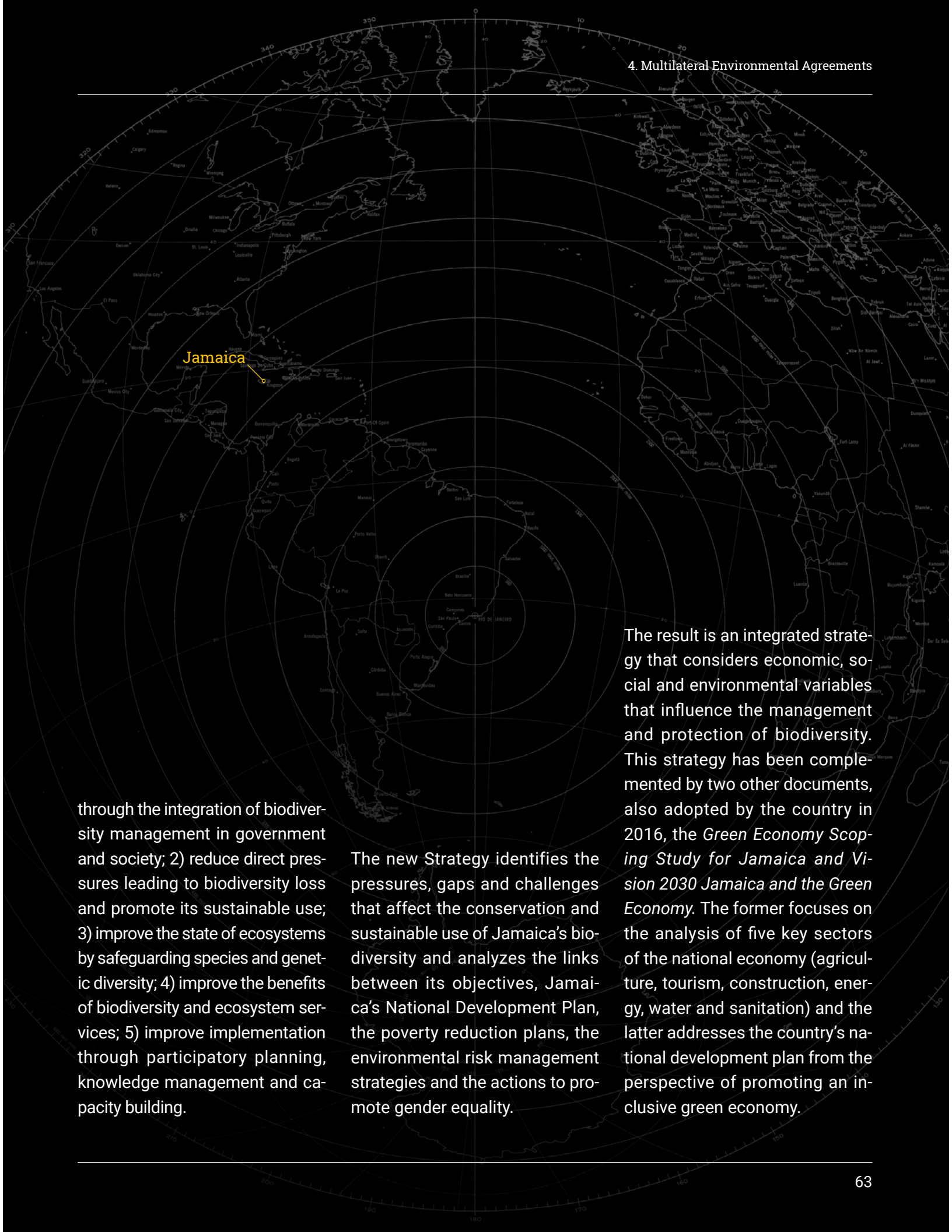
This process had important repercussions in the environmental area. In March of 2016, the Ministry of Economic Growth and Job Creation was created, which assumed responsibility for promoting national sustainable development. Under its direct management are the issues of biodiversity, soil, environment, climate change and water, among others. This ministry replaced the

previous Ministry of Water, Land, Environment and Climate Change.

Within the Ministry of Economic Growth and Job Creation, the National Environment and Planning Agency has been operating since 2001 and has the task of developing proposals for environmental policies and legislation, among others. This Agency has played a leading role in creating synergies between the management and protection of biodiversity in Jamaica and the Convention on Biological Diversity, whose parties have assumed the commitment to establish National Biodiversity Strategies and Action Plans (NBSAPs) that, according to its article 6, must be integrated in the planning and activities of all sectors.

To this end, Jamaica presented its first National Strategy and Action Plan on Biodiversity in 2003. In 2007, it presented a five-year capacity development plan with sustainable financing, collaboration, an appropriate regulatory environment and improvements in human resources for research, monitoring and evaluation in biodiversity and protected areas. In 2009, it identified the limits of existing protected areas to adequately protect Jamaica's biodiversity, establishing a National Biodiversity Secretariat to head the NBSAP implementation and progress monitoring.

In 2016, a new NBSAP was presented for the 2016-2021 period with new goals: 1) address the underlying causes of biodiversity loss



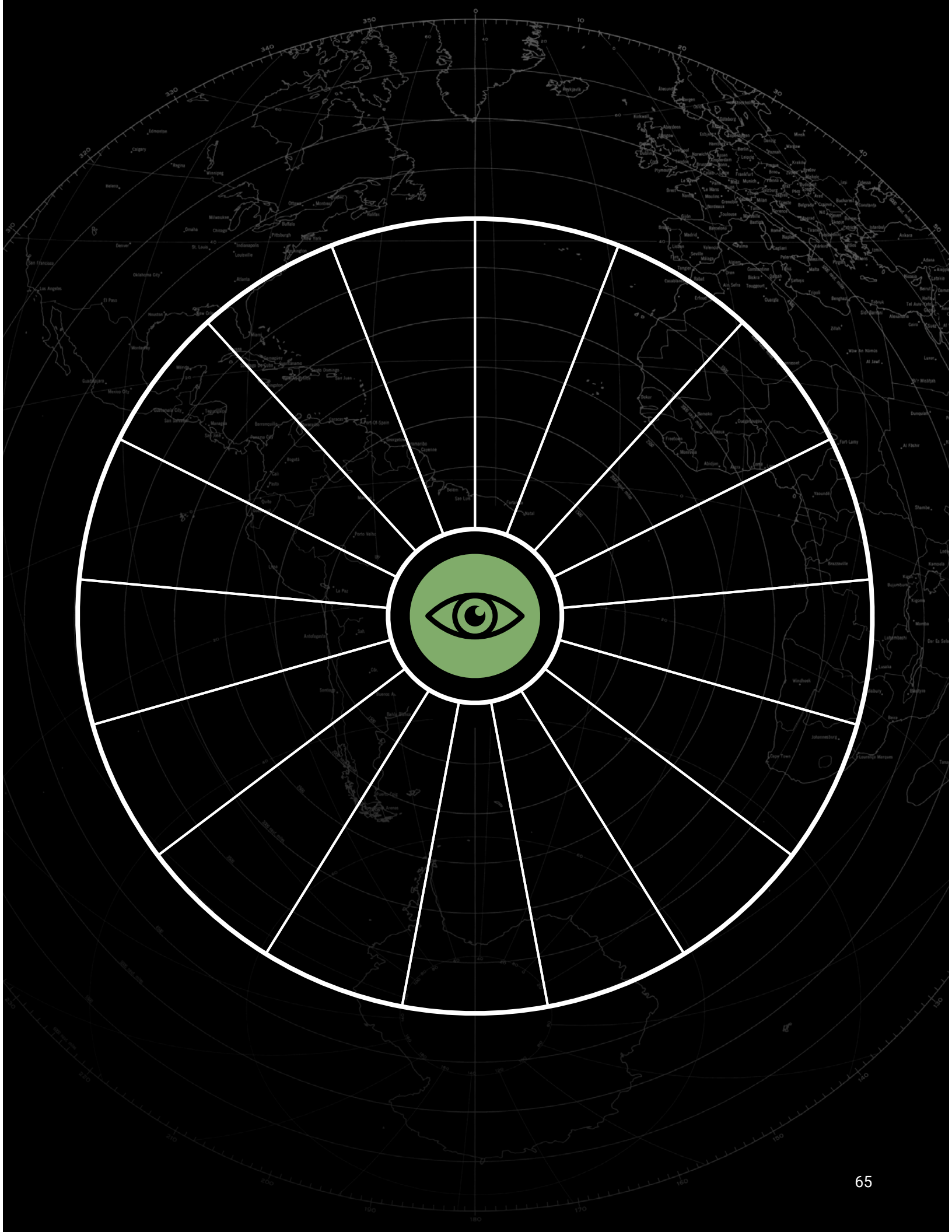
Jamaica

through the integration of biodiversity management in government and society; 2) reduce direct pressures leading to biodiversity loss and promote its sustainable use; 3) improve the state of ecosystems by safeguarding species and genetic diversity; 4) improve the benefits of biodiversity and ecosystem services; 5) improve implementation through participatory planning, knowledge management and capacity building.

The new Strategy identifies the pressures, gaps and challenges that affect the conservation and sustainable use of Jamaica's biodiversity and analyzes the links between its objectives, Jamaica's National Development Plan, the poverty reduction plans, the environmental risk management strategies and the actions to promote gender equality.

The result is an integrated strategy that considers economic, social and environmental variables that influence the management and protection of biodiversity. This strategy has been complemented by two other documents, also adopted by the country in 2016, the *Green Economy Scoping Study for Jamaica and Vision 2030 Jamaica and the Green Economy*. The former focuses on the analysis of five key sectors of the national economy (agriculture, tourism, construction, energy, water and sanitation) and the latter addresses the country's national development plan from the perspective of promoting an inclusive green economy.

Conclusions and recommendations for action



One of the challenges faced by countries in their quest for sustainable development is the development of a solid legal and institutional base.

On the one hand, there is the need to strengthen the coherence between institutions, policies and processes to avoid conflicting or duplicated efforts and contribute in an orderly manner to closing the gaps in the implementation of sustainable development. On the other hand, it is required to involve and coordinate a variety of sectors and stakeholders: decision makers, civil society and the private sector, as well as different levels of action, from local to global. This demands adequate legislative and institutional frameworks, especially the promotion of the rule of law in environmental matters.

In effect, environmental management is, by nature, highly cross-sectoral, given all the elements that effectively and directly affect the management of ecosystems and natural resources. For this reason, it has been necessary to develop legal-administrative structures that allow for an integrated management of the environment and that include, depending on the case, the strengthening and/or creation of institutions with environmental powers for the coordination of environmental management.⁵ Today, these advances contribute to an integrated approach to sustainable development.

As seen throughout this document, in recent decades, the region has begun a process of strength-

ening environmental governance in accordance with global environmental agreements and has been closely involved in the promotion of sustainable development at the national level. This has strengthened the capacities of the environmental sector and laid the foundations for more effective incorporation of this dimension in the current implementation of the 2030 Agenda.

However, much remains to be done. The full inclusion of sustainable development at the operational level has not yet been achieved, reflecting a persistent tendency to maintain approaches in closed management structures. Thus, despite the multisectoral nature of the environment, considerations of this kind are still not taken into account structurally in all national development planning.

The impetus from the 2030 Agenda and the SDGs to work towards sustainable development in an integrated manner is evident. An example of this being the national efforts to align development priorities with this agenda, as well as the advocacy work by civil society. Environmental institutionality at the global, national, subnational and local levels can play a very important role in the promotion of integrated approaches to sustainable development in a practical way. To this end, we suggest the following nine recommendations for action:

1. Translate the Integrated Approach to Sustainable Development into concrete political management tools

The incorporation of an integrated approach in legal, management and development planning frameworks fosters compatibility and coherence between

⁵ Whether it be a coordinating Ministry of Environment, high-level interministerial commissions or the allocation of environmental management coordination to national planning bodies, as a complement to their functions.

the decisions made by countries and global agenda commitments.

Their possible interactions with the *Nexus Approach*, the *Circular Economy* and other integration methodologies and tools can reinforce the processes of public policy design. The environmental sector has concrete experiences in the region in the promotion of the inclusion of the environmental dimension in development processes that apply integrated approaches in practice. Some examples of this are ecosystem-based adaptation, integrated watershed management and sustainable regional planning, among others.

Carrying out training and awareness actions on the possibilities opened up by the integrated approach and the related planning, monitoring and evaluation tools for policies will contribute to its inclusion in public management.

2. Strengthen the alignment between the SDGs and national development plans and strategies, including specifically environmental ones

Although there is a regional trend towards aligning national development plans with the SDGs, it could be improved by moving towards integrating both agendas. In environmental matters, this could translate into the inclusion of environmental considerations in the definition of strategies to achieve nationally established objectives, in alignment with the SDGs. Taking into account that the SDGs are an indivisible whole, united by the integrated approach, this inclusion would provide coherence and cohesion for the national implementation of targets.

To move in this direction, an examination of the environmental implications of the national adoption process of the SDGs could be useful. The process should include a detailed analysis of the interrelationships between the different SDG targets and, especially, the potentials and limitations that environmental achievements imply for development that ensure the capacity of ecosystems to sustain life. National environmental authorities can coordinate this process in alignment with, for example, existing multisectoral experiences in climate change management that include baseline reports or agreements on national policies and plans.

3. Encourage the participation of national environmental authorities in the 2030 Agenda planning and monitoring bodies to ensure the inclusion of the environmental dimension in sustainable development

Environmental institutionality must be present in the coordination bodies of the 2030 Agenda at both a political and technical level. To do this, one must strengthen the relevant environmental data and analysis that facilitate decision-making for the implementation of the SDGs in an integrated manner. This involves rethinking the cross-sectoral role of environmental management and strengthening institutions for this purpose, in both the implementation of actions and in the ability to foster the inclusion of environmental sustainability criteria in the rest of the public agenda.

In this regard, other sectors should also be involved in environmental management so that all the links between the environment and development are taken into account to include the SDGs in the institutional action and operational plans. The Ministries with environmental powers, as coordinators of environmental management, should promote and build capacities in other sectors in order to include the environmental dimension of sustainable development in a cross-sectoral manner.

4. Align the implementation of the SDGs and compliance with the Multilateral Environmental Agreements in the public management of sustainable development

The region's high level of participation in these agreements is an asset that is insufficiently exploited for the implementation of the SDGs. Including this synergy in national development strategies could foster the coherence of policies, improve the efficiency of public budget allocation and reduce the human and financial costs involved in preparing implementation strategies and monitoring reports of the different international agendas. To this end, we recommend:

- Promote a greater alignment of contents and coordination between the national institutions involved in the implementation of the Multilateral Environmental Agreements and the 2030 Agenda, with special emphasis on the synergistic implementation of the Nationally Deter-

mined Contributions on Climate Change and the National Biodiversity Plans.

- Facilitate the sharing of information and coordinate the reporting process. The participation of representatives of the technical teams that prepare the Multilateral Environmental Agreement reports in the national SDG monitoring reports is a step in this direction.
- Have closer relations with the secretariats of the Agreements to facilitate the implementation of the SDGs on a regional and global scale, the adoption of new commitments and global action plans aligned with the 2030 Agenda, and the exchange of good practices.

5. Base the regulations for implementing the 2030 Agenda on environmental constitutional provisions to encourage an integrated approach in the legislative branch

Over the last century, most of the Political Constitutions of the region have included a significant number of provisions related to the protection of the environment and the promotion of a sustainable development model. This legal basis can support the adoption of laws and other regulations required for the implementation of the SDGs, promoting an integrated approach in the normative processes from the outset.

In this sense, it is important to include multiparty groups (groups of supporters, broad coalitions etc.), such as those that already exist in some countries in the region, within the legislative powers that promote the 2030 Agenda in government debates.



6. Align national legislation with international norms to support the conservation of regional environmental assets

Considering environmental health as a regional and global public good, Latin American and Caribbean countries could benefit from a process of aligning their respective national environmental regulations. The ratification of the Multilateral Environment Agreements could become a platform for this process of regulatory alignment.

The highest environmental management portfolios could promote this integration by working together with different stakeholders with specific expertise in the area, including the United Nations system. Similarly, the experience and extension of integration processes in the region could foster these processes by assuming a proactive role.

7. Take advantage of the advances in local environmental management to include subnational governments in the management of sustainable development

The movement of governments towards more inclusive, federal and coordinated environmental management is increasing in the region. The power sharing process of each country significantly affects the development of legislation and subnational plans. There is a clear trend towards the greater involvement of subnational and local gov-

ernments in environmental management and the coordination between them and central governments, particularly in recent years. These spaces offer the possibility of dialogue, the definition of priorities and technical and financial support for the local implementation of the SDGs.

In addition, the establishment of forums for dialogue on environmental issues among subnational entities, in which they can define joint positions with the national government, is a strategy that is proving successful and could be shared among countries of the region through South-South cooperation.

8. Coordinate the effective participation of all the stakeholders involved in the implementation and monitoring of the 2030 Agenda, establishing synergies with the Regional Agreement on Principle 10 of Rio+20

The countries of the region are making progress in strengthening participatory forums for planning, implementing and monitoring the SDGs. In environmental matters, stakeholders from civil society, the private sector and academia offer extensive experience and have been making very important contributions to sustainable national and local development (UN Environment, 2016b).

The recent Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean establishes the basis for ensuring the rights of all people to a healthy environment

and sustainable development. This agreement devotes special attention to individuals and groups in situations of vulnerability, including human rights defenders in environmental matters. Its implementation, at the national level, requires the State's capacity for the inclusion of all stakeholders involved in sustainable development, as well as the promotion of legal frameworks and the creation of legal, economic and social incentives. The environmental sector has an important role to play in the leadership of this process.

9. Ensure the production, management and availability of environmental data for balanced and integrated sustainable development decision making

To varying degrees, the region reveals a deficit in terms of production and capacities for the management of data and statistical and disaggregated information. Having environmental information that can be used in conjunction and to complement social and economic data at the national level is key to strengthening integrated approaches in decision making.

Countries should continue using existing mechanisms such as the Latin American and Caribbean Initiative for Sustainable Development (ILAC) and the Statistical Conference of the Americas to build joint data systems that integrate the three dimensions of sustainable development. This area is an opportunity for South-South cooperation, given the experience and good practices that exist in the region.

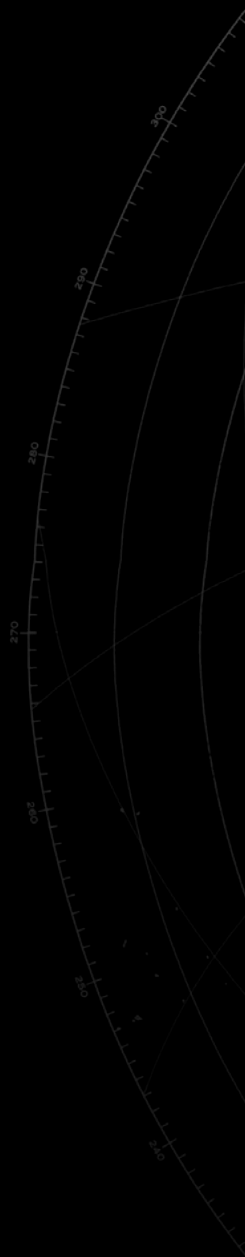
It is also important to continue the momentum for the establishment of environmental accounting systems, which, because of their integrating nature,

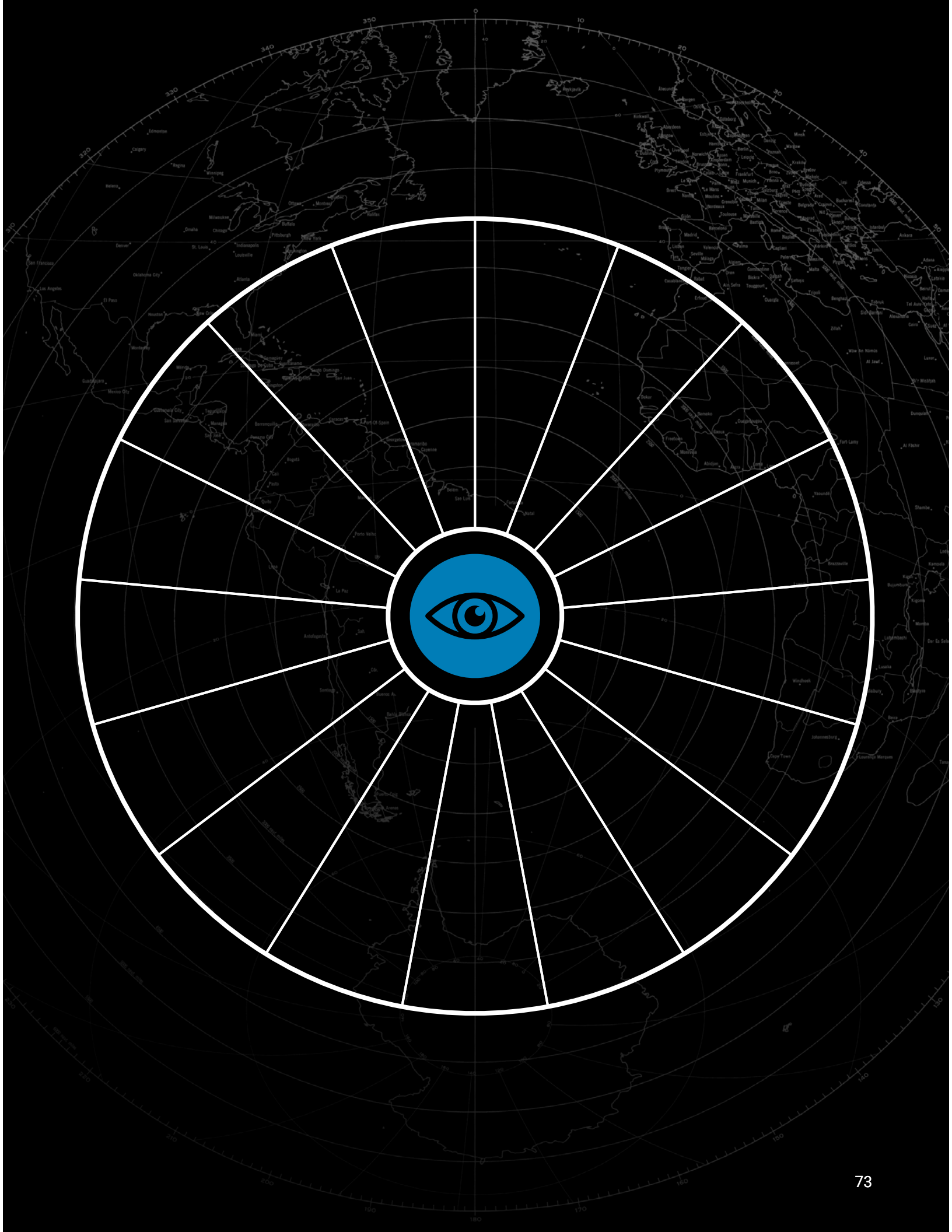
are useful instruments for sustainable development decision making. This requires improving environmental statistics and coordination efforts between the different public institutions that produce relevant data, which should seek to align their working methodologies to create compatible, well-structured and unified databases.

Similarly, increasing national capacities to work with innovative data systems, such as Big Data, and promoting the exchange of reliable data with non-governmental stakeholders could contribute to improving available data.



Appendix and Bibliography





Appendix 1

Ratifications of Multilateral Environmental Agreements by Latin American and Caribbean countries as of July, 2018.

Source: the authors (<https://www.informe.org/>)

Country / Treaty	Cartagena Convention	Basel Convention	Basel Protocol on Liability and Compensation for Damage	Cartagena Protocol	CBD	CITES	CMS	Kyoto Protocol	Minamata Protocol	Montreal Protocol
Antigua and Barbuda	R. 11 Sept 1986	A. 5 April 1993		R. 10 Sept 2003	R. 9 March 1993	A. 6 Oct 1997	P. 1 Oct 2007	R. 3 Nov 1998	A. 23 Sept 2016	A. 3 Dec 1992
Argentina		R. 27 June 1991		Sig. 24 May 2000	R. 22 Nov 1994	R. 8 April 1981	P. 1 Jan 1992	R. 28 Sept 2001	R. 25 Sept 2017	R. 18 Sept 1990
Bahamas	R. 24 June 2010	A. 12 Aug 1992		R. 15 Jan 2004	R. 2 Sept 1993	A. 18 Sept 1979		A. 9 April 1999		A. 4 May 1993
Barbados	R. 28 May 1985	A. 24 Aug 1995		A. 6 Sept 2002	R. 10 Dec 1993	A. 9 March 1993		A. 7 Aug 2000		A. 16 Oct 1992
Belize	R. 22 Sept 1999	A. 23 May 1997		A. 12 Feb 2004	R. 30 Dec 1993	S. 21 Sept 1981		A. 26 Sept 2003		A. 9 Jan 1998
Bolivia		R. 15 Nov 1996		R. 22 April 2002	R. 3 Oct 1994	R. 4 Oct 1979	P. 1 March 2003	R. 30 Nov 1999	R. 26 Jan 2016	A. 3 Oct 1994
Brazil		A. 1 Oct 1992		A. 24 Nov 2003	R. 28 Feb 1994	R. 4 Nov 1975	P. 1 Oct 2015	R. 23 Aug 2002	R. 8 Aug 2017	A. 19 March 1990
Chile		R. 11 Aug 1992	Sig. 8 Dec 2000	Sig. 24 May 2000	R. 9 Sept 1994	R. 1 July 1975	P. 1 Nov 1983	R. 26 Aug 2002	Sig. 10 Oct 2013	R. 26 March 1990
Colombia	R. 3 March 1988	R. 31 Dec 1996	R. 22 July 2008	R. 20 May 2003	R. 28 Nov 1994	R. 29 Nov 1981		A. 30 Nov 2001	Sig. 10 Oct 2013	A. 6 Dec 1993
Costa Rica	R. 1 Aug 1991	A. 7 March 1995	Sig. 27 April 2000	R. 6 Feb 2007	R. 26 Aug 1994	R. 28 Sept 1975	P. 1 Aug 2007	R. 9 Aug 2002	R. 19 Jan 2017	A. 30 July 1991
Cuba	R. 15 Sept 1988	A. 3 Oct 1994		R. 17 Sept 2002	R. 8 March 1994	A. 19 July 1990	P. 1 Feb 2008	R. 30 April 2002		A. 14 July 1992
Dominica	R. 5 Oct 1990	A. 5 May 1998		A. 13 July 2004	A. 6 April 1994	A. 2 Nov 1995		A. 25 Jan 2005		A. 31 March 1993
Ecuador		R. 23 Feb 1993		R. 30 Jan 2003	R. 23 Feb 1993	R. 1 July 1975	P. 1 Feb 2004	R. 13 Jan 2000	R. 29 July 2016	A. 30 April 1990
El Salvador		R. 13 Dec 1991		R. 26 Sept 2003	R. 8 Sept 1994	A. 29 July 1987		R. 30 Nov 1998	A. 20 June 2017	A. 2 Oct 1992
Grenada	A. 28 Nov 1999			R. 5 Feb 2004	R. 11 Aug 1994	A. 28 Nov 1999		A. 6 Aug 2002		A. 6 Aug 2002
Guatemala	R. 18 Dec 1989	R. 15 May 1995		A. 28 Oct 2004	R. 10 July 1995	R. 5 Feb 1980		R. 5 Oct 1999	Sig. 10 Oct 2013	A. 7 Nov 1989
Guyana	R. 14 July 2010	A. 4 April 2001		A. 18 March 2008	R. 30 Nov 1948	A. 25 Aug 1977		A. 5 Aug 2003	R. 24 Sept 2014	A. 12 Aug 1993
Haiti		Sig. 22 March 1989		Sig. 24 May 2000	R. 25 Sept 1996			A. 6 July 2005		A. 29 March 2000
Honduras		A. 27 Dec 1995		R. 18 Nov 2008	R. 18 Nov 2008	A. 13 June 1985	P. 1 April 2007	R. 19 July 2000	R. 22 March 2017	A. 14 Oct 1993
Jamaica	R. 1 April 1987	A. 23 Jan 2003		R. 25 Sept 2012	R. 6 Jan 1995	A. 22 July 1997		A. 28 June 1999	R. 19 July 2017	A. 31 March 1993
Mexico	R. 11 April 198	R. 22 Feb 1991		R. 27 Aug 2002	R. 11 March 1993	A. 30 Sept 1991		R. 7 Sept 2000	R. 29 Sept 2015	Ac. 31 March 1988
Nicaragua	R. 25 Aug 2005	A. 3 June 1997		R. 28 Aug 2002	R. 20 Nov 1995	A. 4 Nov 1977		R. 18 Nov 1999	R. 29 Oct 2014	A. 5 March 1993
Panama	R. 16 Nov 1987	R. 22 Feb 1991		R. 1 May 2002	R. 17 Jan 1995	R. 15 Nov 1978	P. 1 May 1989	R. 5 March 1999	R. 29 Sept 2015	R. 3 March 1989
Paraguay		A. 28 Sept 1995		R. 10 March 2004	R. 24 Feb 1994	R. 13 Feb 1977	p. 1 Jan 1999	R. 27 Aug 1999	Sig. 10 Feb 2014	A. 3 Dec 1992
Peru		A. 23 Nov 1993		R. 14 April 2004	R. 7 June 1993	R. 25 Sept 1975	P. 1 June 1997	R. 12 Sept 2002	R. 21 Jan 2016	A. 31 March 1993
Dominican Republic	R. 24 Nov 1998	A. 10 July 2000		A. 20 June 2006	R. 25 Nov 1996	A. 17 March 1987	P. 1 Nov 2017	A. 12 Feb 2002	Sig. 10 Oct 2013	A. 18 May 1993
Saint Kitts and Nevis	R. 15 June 1999	A. 7 Sept 1994		A. 23 May 2001	R. 7 Jan 1993	A. 15 May 1994		A. 8 April 2008	A. 24 May 2017	A. 10 Aug 1992
St. Vincent & the Grenadines	R. 11 July 1990	A. 2 Dec 1996		A. 27 Aug 2003	A. 3 June 1996	A. 28 Feb 1989		R. 31 Dec 2004		A. 2 Dec 1996
Saint Lucia	R. 30 Nov 1984	A. 9 Dec 1993		A. 16 June 2005	A. 28 July 1993	A. 15 March 1983		R. 20 Aug 2003		A. 28 July 1993
Suriname		A. 20 Sept 2011		A. 27 March 2008	R. 12 Jan 1996	A. 15 Feb 1981		A. 25 Sept 2006		A. 14 Oct 1997
Trinidad & Tobago	R. 24 Jan 1986	A. 18 Feb 1994		A. 5 Oct 2000	R. 1 Aug 1996	A. 18 April 1984		R. 28 Jan 1999		A. 28 Aug 1989
Uruguay		R. 20 Dec 1991		R. 2 Nov 2011	R. 5 Nov 1993	R. 1 July 1975	P. 1 May 1990	R. 5 Feb 2001	R. 24 Sept 2014	A. 8 Jan 1991
Venezuela	R. 18 Dec 1986	R. 3 March 1998		R. 13 May 2002	R. 13 Sept 1994	R. 22 Jan 1978		A. 18 Feb 2005	Sig. 10 Oct 2013	R. 6 Feb 1989

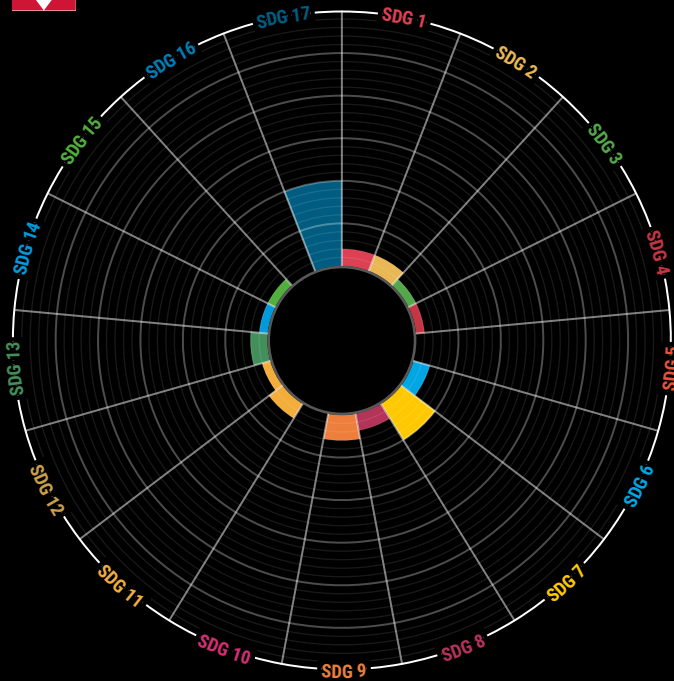
Interpretation key: R=Ratification; A=Accession; Ac=Acceptance; P=Party; Sig=Signatory; S=Succession.

(*) The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), is based on Principle 10 of the Rio Declaration on Environment and Development approved by the United Nations Conference on Environment and Development (Rio de Janeiro, 1992) and the work of the United Nations Conference on Sustainable Development (Rio+20). Adopted on 4 May 2018, the document is opened for signature since 27 September 2018 until 26 September 2020 and will enter into force 19 days after its eleventh ratification. This is the first treaty on environmental matters concluded under the auspices of ECLAC.

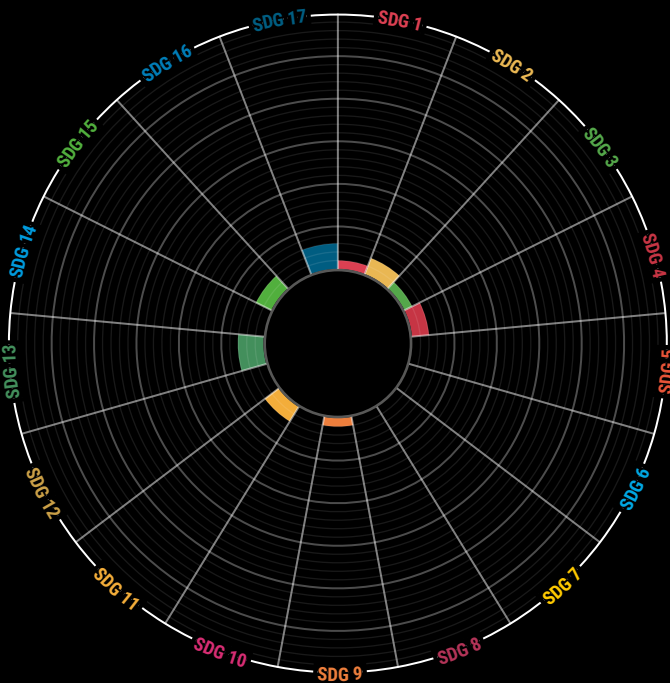
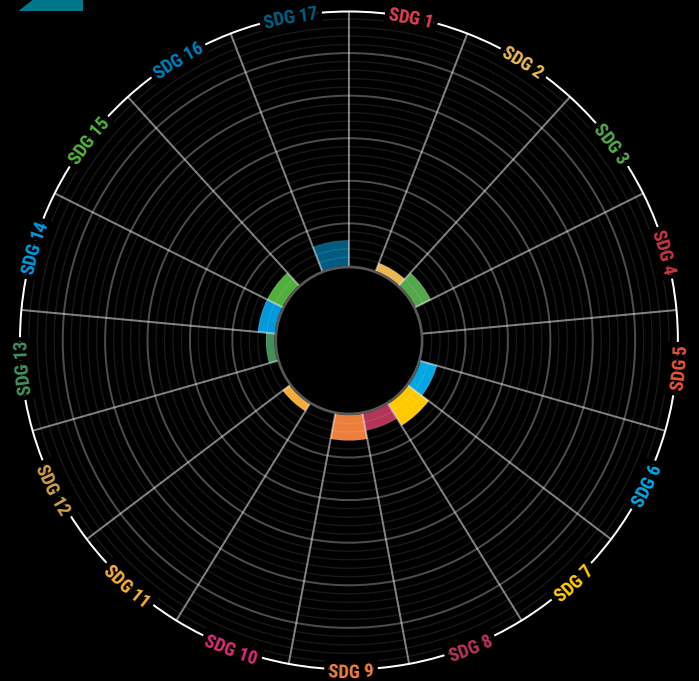
Nagoya Protocol	Nagoya-Kuala Lumpur Supplementary Protocol	Paris Agreement	Ramsar Convention	Rotterdam Convention	Stockholm Convention	United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses	UNCCD	UNFCCC	Viena Convention	Escazú Agreement (*)
R. 12 Dec 2016	Sig. 9 Aug 2011	R. 21 Sept 2016	A. 2 June 2005	A. 23 Aug 2010	R. 10 Sept 2003		R. 6 June 1997	R. 2 Feb 1993	A. 3 Dec 1992	Sig. 27 Sep 2018
R. 9 Dec 2016		R. 21 Sept 2016	R. 4 May 1992	R. 11 June 2004	R. 25 Jan 2005		R. 6 Jan 1997	R. 11 March 1994	R. 18 Jan 1990	Sig. 27 Sep 2018
		R. 22 Aug 2016	R. 7 Feb 1997		R. 3 Oct 2005		A. 10 Nov 2000	R. 29 March 1994	A. 1 April 1993	
		R. 22 April 2016	A. 12 Dec 2005	Sig. 11 Sept 1998	A. 7 June 2004		A. 14 May 1997	R. 23 March 1994	A. 16 Oct 1992	
		R. 22 April 2016	A. 22 April 1998	A. 20 April 2005	R. 25 Jan 2010		A. 23 July 1998	R. 31 Oct 1994	A. 6 June 1997	
A. 6 Oct 2016		R. 5 Oct 2016	A. 27 June 1990	A. 18 Dec 2003	R. 3 June 2003		R. 1 Aug 1996	R. 3 Oct 1994	A. 3 Oct 1994	
Sig. 2 Feb 2011	Sig. 6 March 2012	R. 21 Sept 2016	A. 24 May 1993	R. 16 June 2004	R. 16 June 2004		R. 25 June 1997	R. 28 Feb 1994	A. 19 March 1990	Sig. 27 Sep 2018
		R. 10 Feb 2017	A. 27 July 1981	R. 20 Jan 2005	R. 20 Jan 2005		R. 11 Nov 1997	R. 22 Dec 1994	R. 6 March 1990	
Sig. 2 Feb 2011	Sig. 7 March 2011	Sig. 22 April 2016	A. 18 June 1998	R. 3 Dec 2008	R. 22 Oct 2008		R. 8 June 1999	R. 22 March 1995	A. 16 July 1990	
Sig. 6 July 2011		R. 13 Oct 2016	R. 27 Dec 1991	R. 13 Aug 2009	R. 6 Feb 2007		R. 5 Jan 1998	R. 26 Aug 1994	A. 30 July 1991	Sig. 27 Sep 2018
A. 17 Sept 2015	A. 17 Sept 2015	R. 28 Dec 2016	R. 12 April 2001	R. 22 Feb 2008	R. 21 Dec 2007		R. 13 March 1997	R. 5 Jan 1994	A. 14 July 1992	
		R. 21 Sept 2016		A. 30 Dec 2005	A. 8 Aug 2003		A. 8 Dec 1997	A. 21 June 1993	A. 31 March 1993	
R. 20 Sept 2017		R. 20 Sept 2017	A. 7 Sept 1990	R. 4 May 2004	R. 7 June 2004		R. 6 Sept 1995	R. 23 Feb 1993	A. 10 April 1990	Sig. 27 Sep 2018
Sig. 1 Feb 2012		R. 27 March 2017	R. 22 Jan 1999	R. 8 Sept 1999	R. 27 May 2008		A. 27 June 1997	R. 4 Dec 1995	A. 2 Oct 1992	
Sig. 22 Sept 2011		R. 22 April 2016	A. 22 May 2012				A. 28 May 1997	R. 11 Aug 1994	A. 31 March 1993	
R. 18 June 2014		R. 25 Jan 2017	A. 26 June 1990	A. 19 April 2010	R. 30 July 2008		A. 10 Sept 1998	R. 15 Dec 1995	A. 11 Sept 1987	Sig. 27 Sep 2018
A. 22 April 2014		R. 20 May 2016		A. 25 June 2007	A. 12 Sept 2007		A. 26 June 1997	R. 29 Aug 1994	A. 12 Aug 1993	Sig. 27 Sep 2018
		R. 31 July 2017			Sig. 23 May 2001		R. 25 Sept 1996	R. 25 Sept 1996	A. 25 Sept 1996	Sig. 27 Sep 2018
R. 12 Aug 2013		R. 21 Sept 2016	A. 23 June 1993	A. 26 Sept 2011	R. 23 May 2005		R. 25 June 1997	R. 19 Oct 1995	A. 14 Oct 1993	
		R. 10 April 2017	A. 7 Oct 1997	A. 20 Aug 2002	R. 1 June 2007		A. 12 Nov 1997	R. 6 Jan 1995	A. 31 March 1993	
R. 16 May 2012	R. 26 Sept 2012	R. 21 Sept 2016	A. 4 July 1986	A. 4 May 2005	R. 10 Feb 2003		R. 3 April 1995	R. 11 March 1993	R. 14 Sept 1987	Sig. 27 Sep 2018
		A. 23 Oct 2017	A. 30 July 1997	A. 19 Sept 2008	R. 1 Dec 2005		R. 17 Feb 1998	R. 31 Oct 1995	A. 5 March 1993	
R. 12 Dec 2012	Sig. 3 May 2011	R. 21 Sept 2016	A. 26 Nov 1990	R. 18 Aug 2000	R. 5 March 2003		R. 4 April 1996	R. 23 May 1995	A. 13 Feb 1989	Sig. 27 Sep 2018
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R. 8 July 2014	Sig. 4 May 2011	R. 25 July 2016	R. 30 March 1992	R. 14 Sept 2005	R. 14 Sept 2005		R. 9 Nov 1995	R. 7 June 1993	R. 7 April 1989	Sig. 27 Sep 2018
R. 13 Nov 2014		R. 21 Sept 2017	A. 15 May 2002	A. 24 March 2006	R. 4 May 2007		A. 26 June 1997	R. 7 Oct 1998	A. 18 May 1993	Sig. 27 Sep 2018
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R. 14 July 2014		R. 19 Oct 2016	A. 22 May 1984	R. 4 March 2003	R. 9 Feb 2004		A. 17 Feb 1999	R. 18 Aug 1994	A. 27 Feb 1989	Sig. 27 Sep 2018
		R. 21 July 2017	A. 23 Nov 1988	A. 19 April 2005	R. 19 April 2005	Sig. 22 Sept 1997	A. 29 June 1998	R. 28 Dec 1994	A. 1 Sept 1988	

Appendix 2 Relations between the Nationally Determined Contributions and the SDGs among Latin American and Caribbean countries.

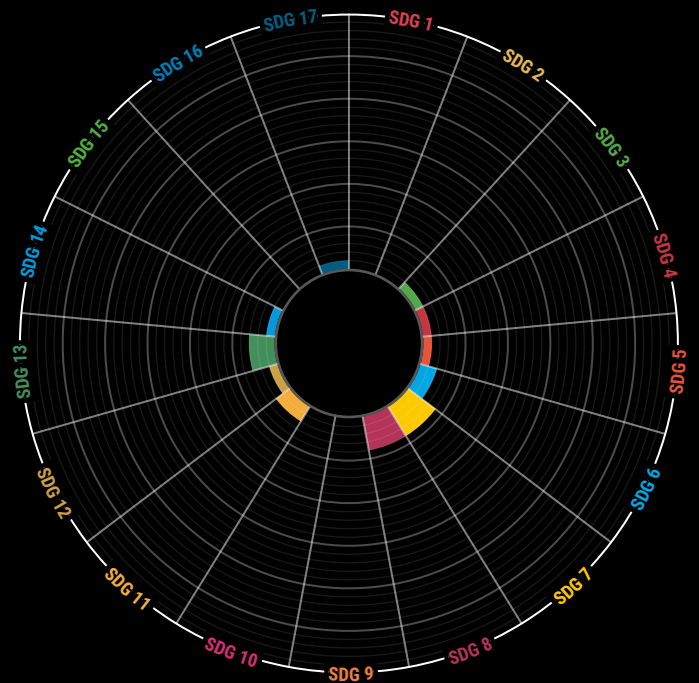
Antigua and Barbuda



Bahamas



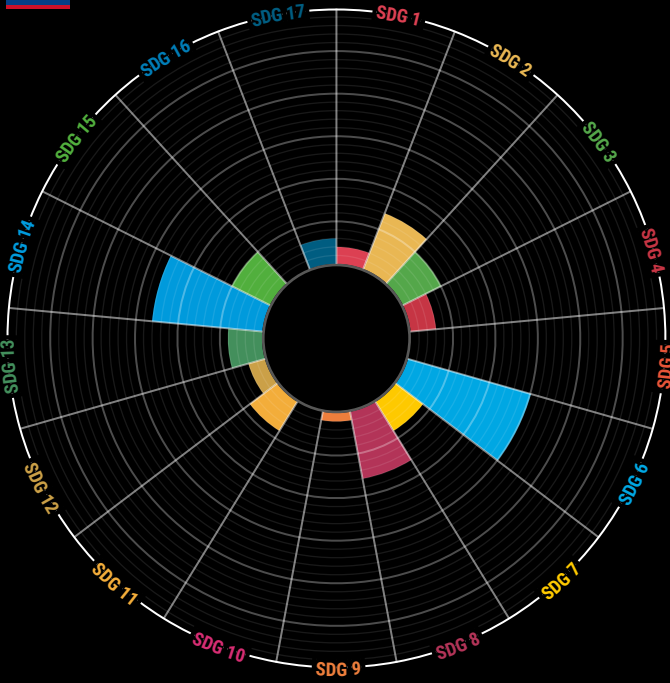
Argentina



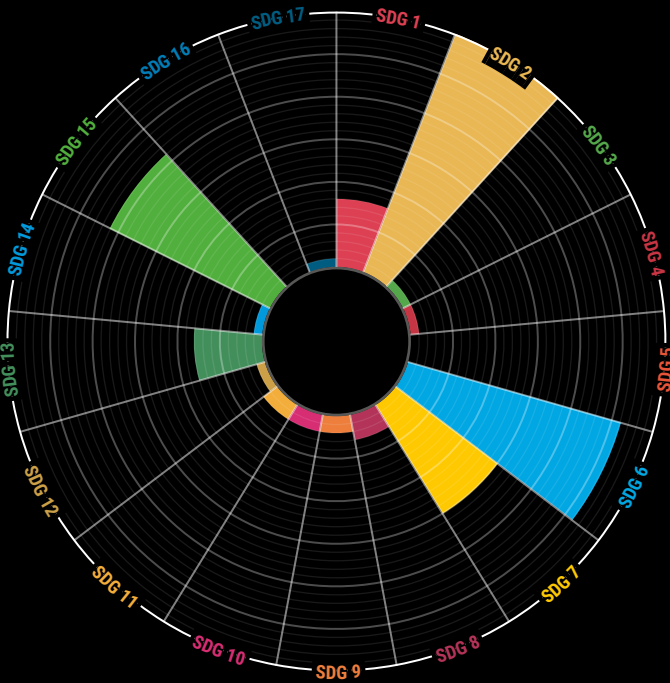
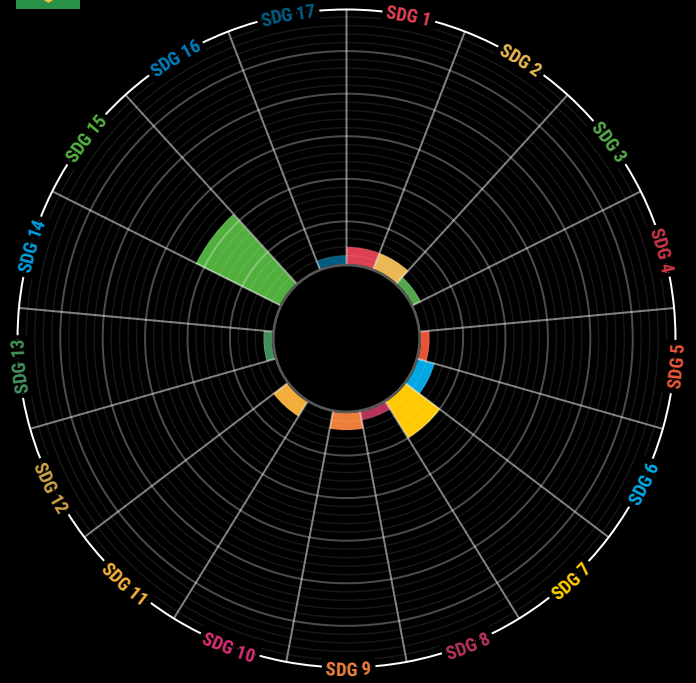
Barbados

Source: the authors, based on the NDC-SDG, Deutsches Institut für Entwicklungspolitik (DIE) and the Stockholm Environment Institute (SEI).

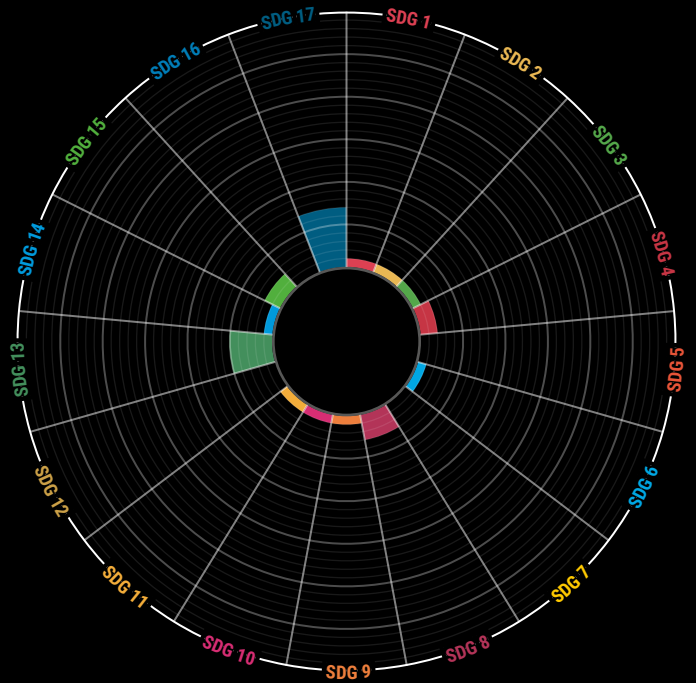
Belize



Brazil

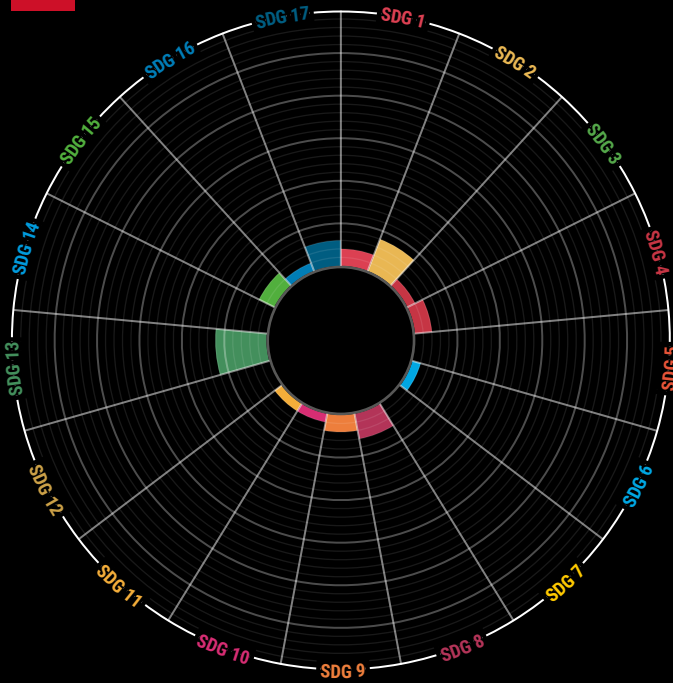


Bolivia

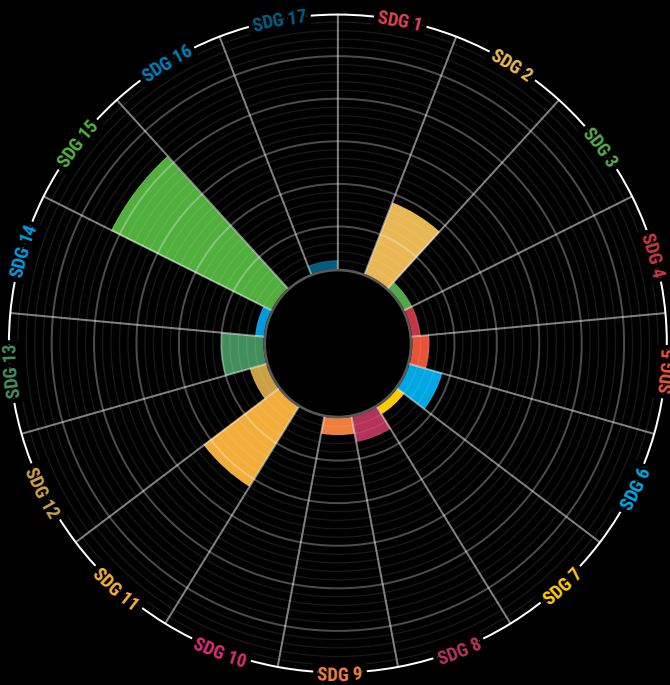
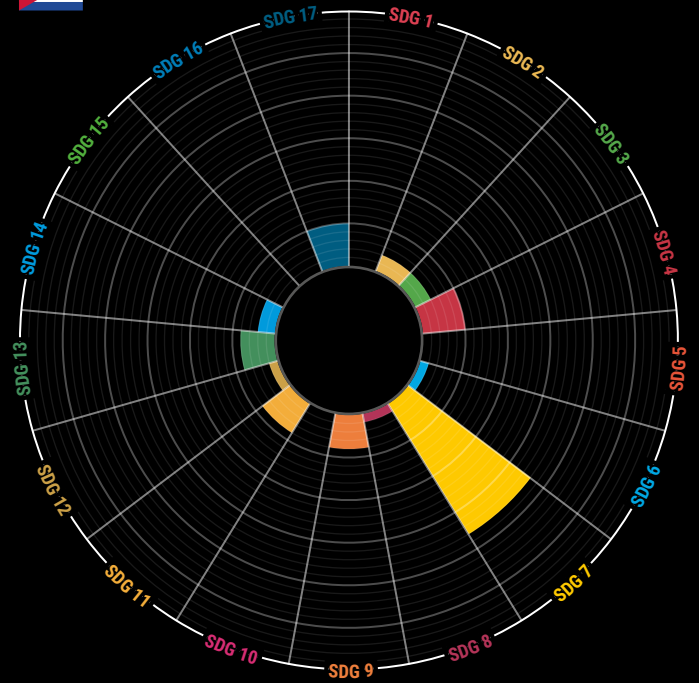


Chile

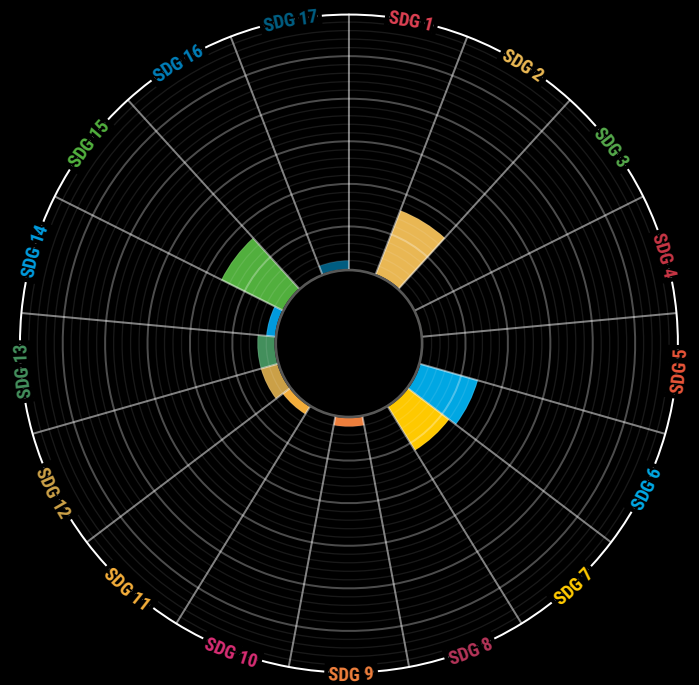
Colombia



Cuba

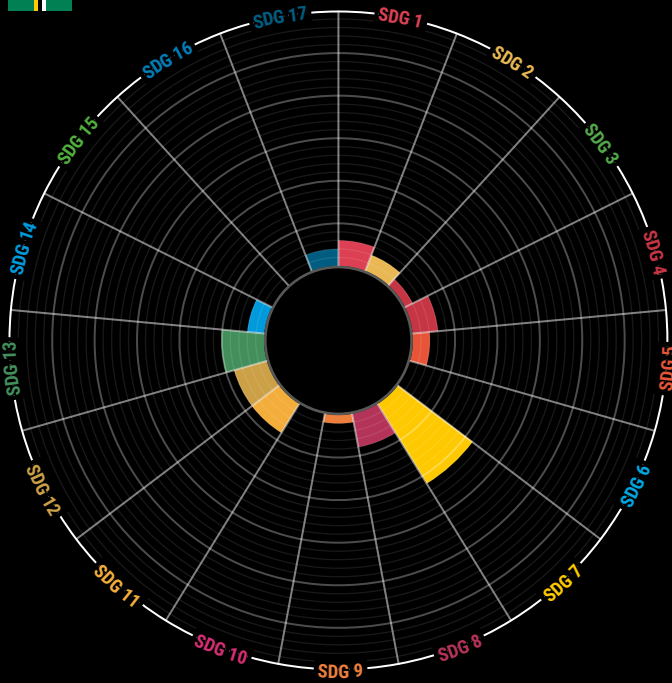


Costa Rica

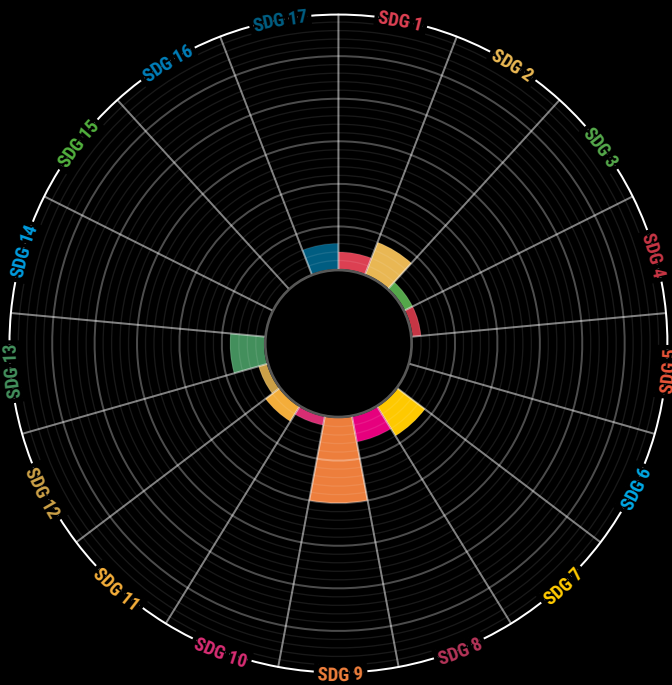
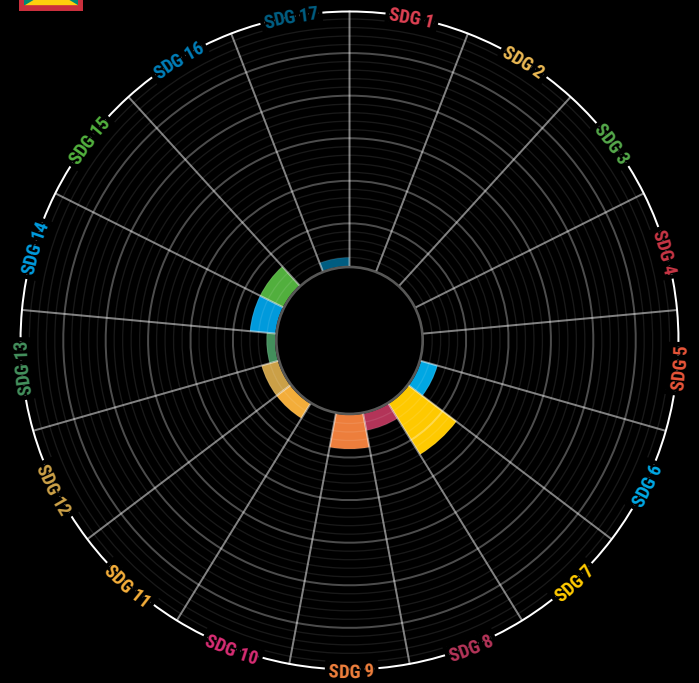


Ecuador

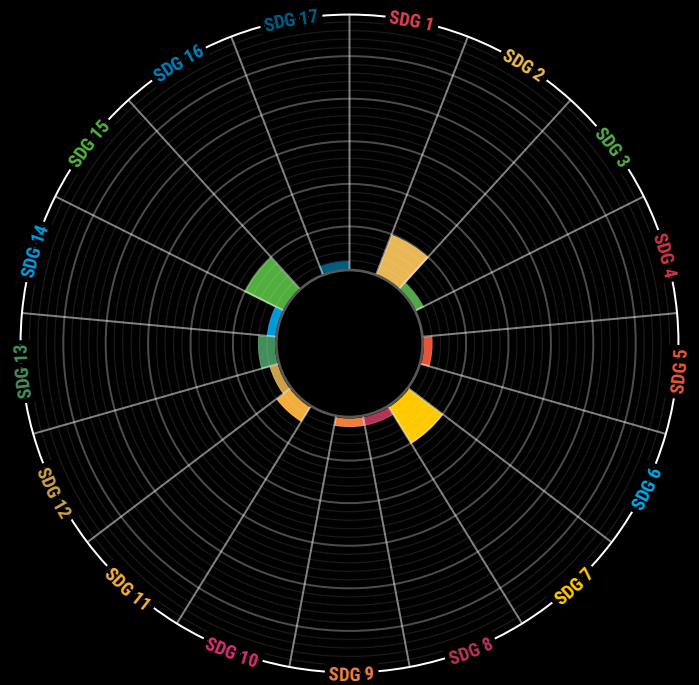
Dominica



Grenada

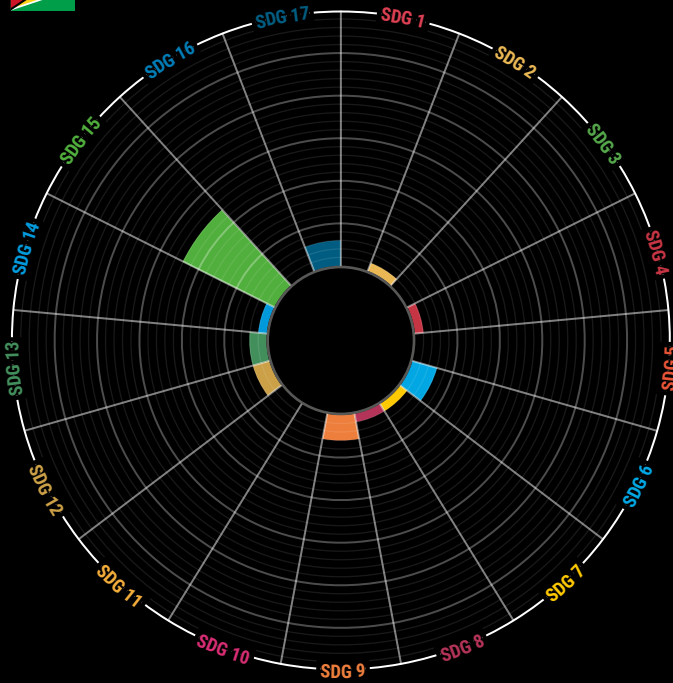


El Salvador

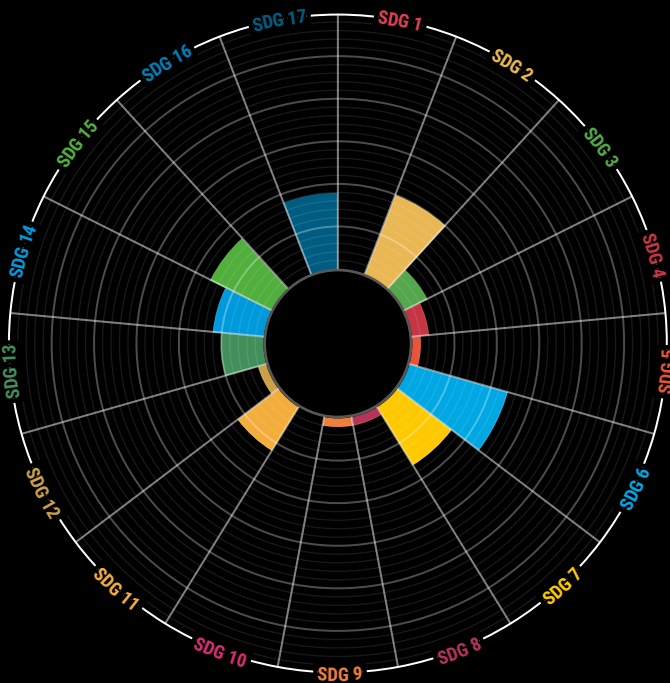
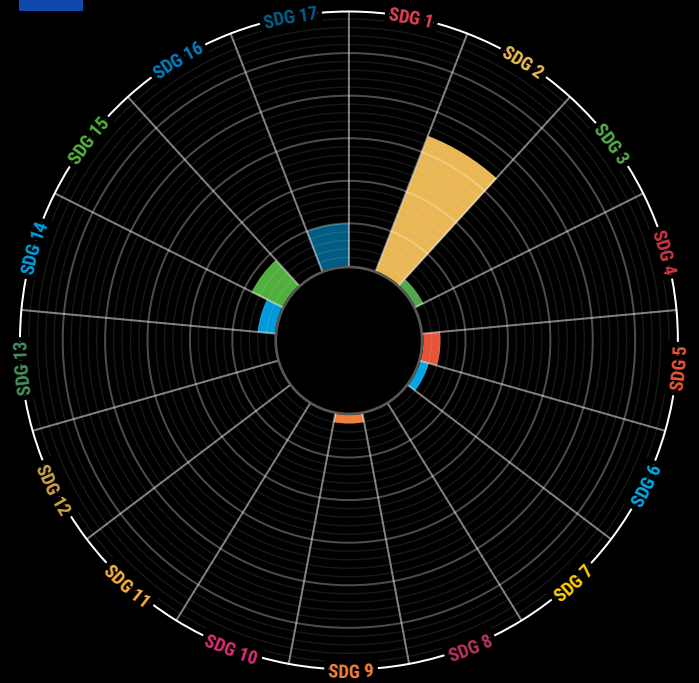


Guatemala

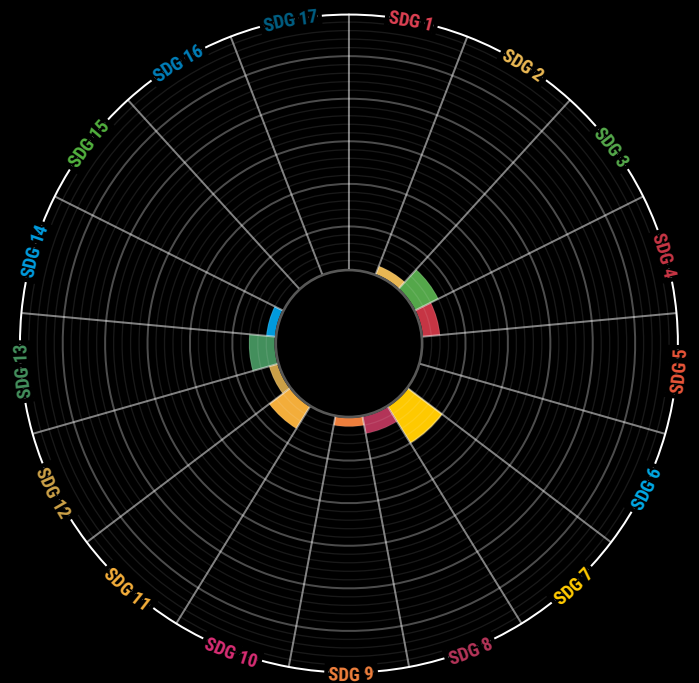
Guyana



Honduras

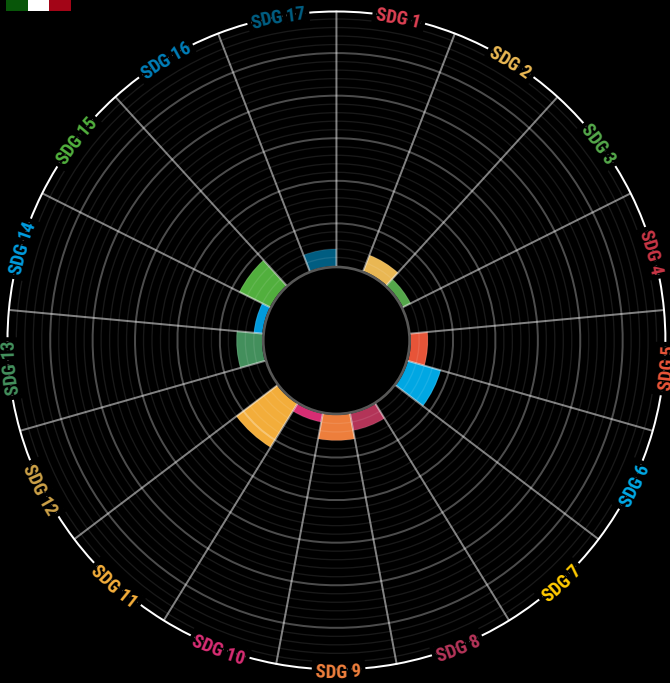


Haiti

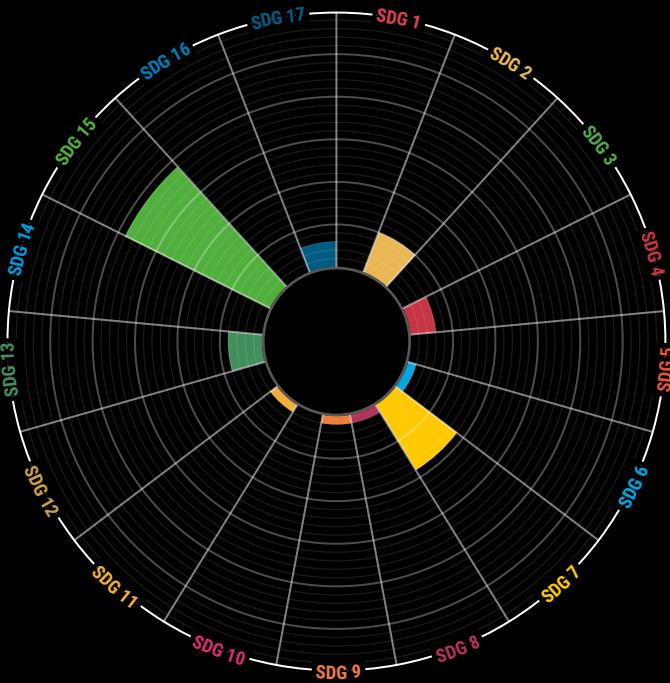
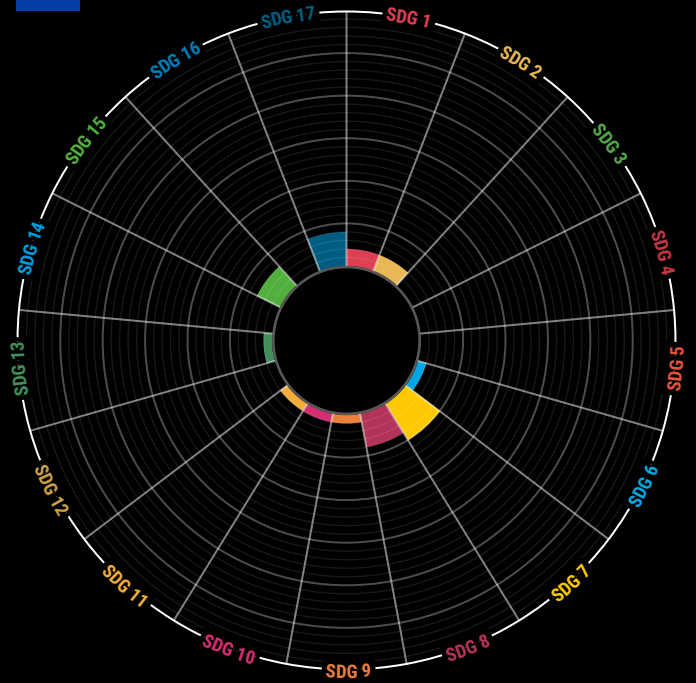


Jamaica

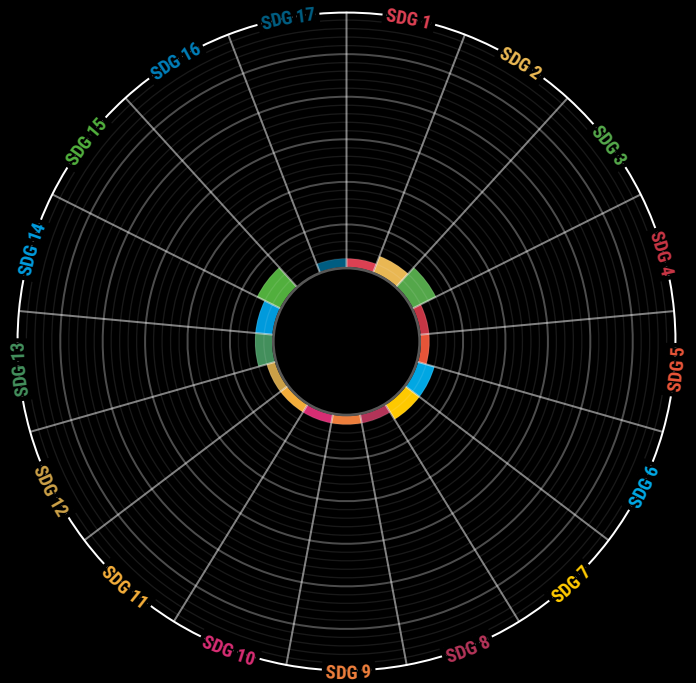
Mexico



Paraguay

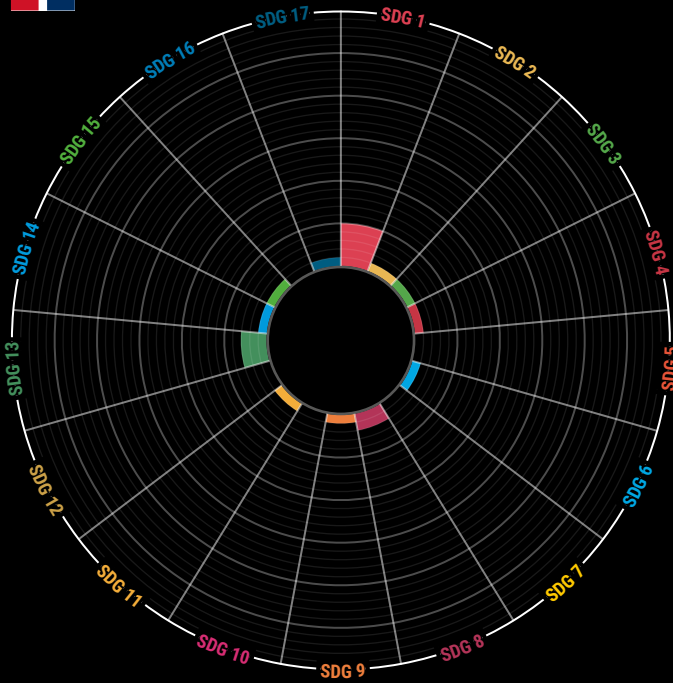


Panama

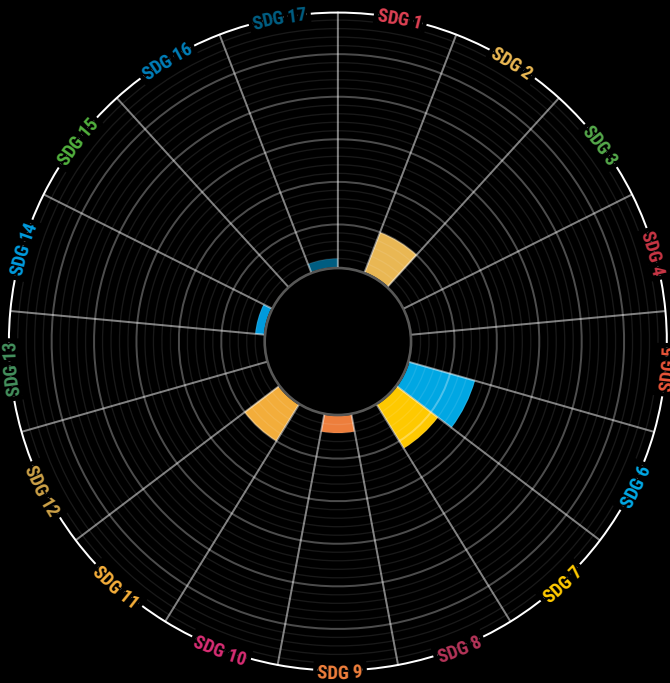
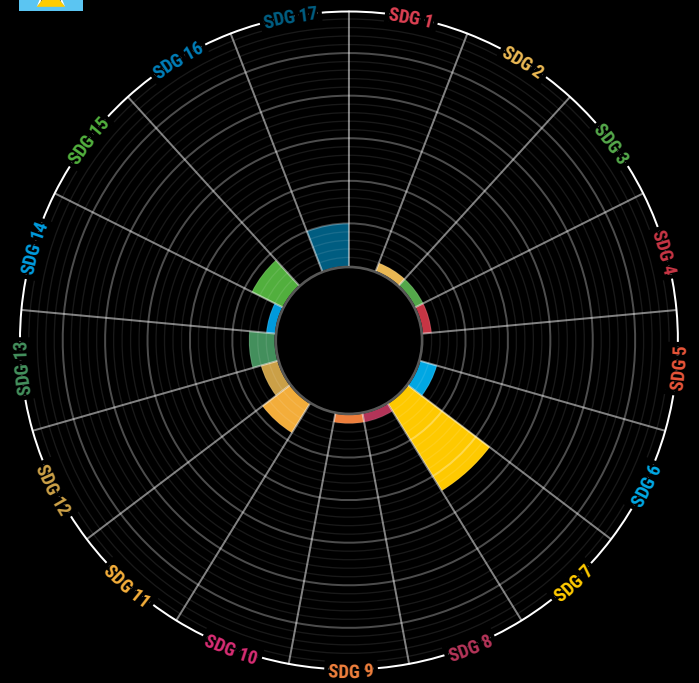


Peru

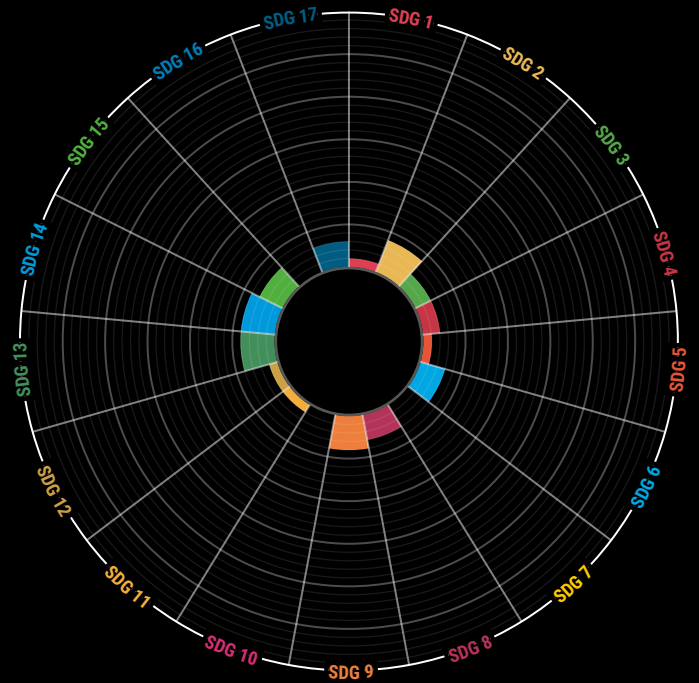
Dominican Republic



Saint Lucia

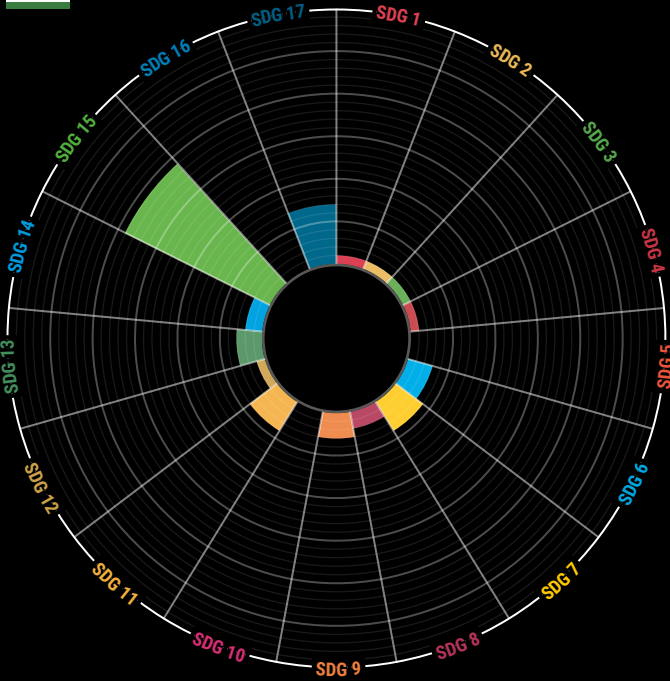


Saint Kitts and Nevis

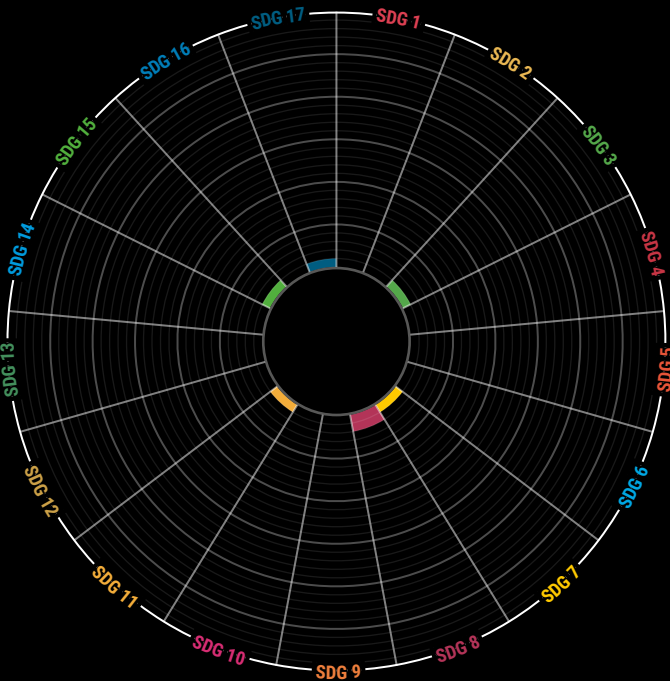
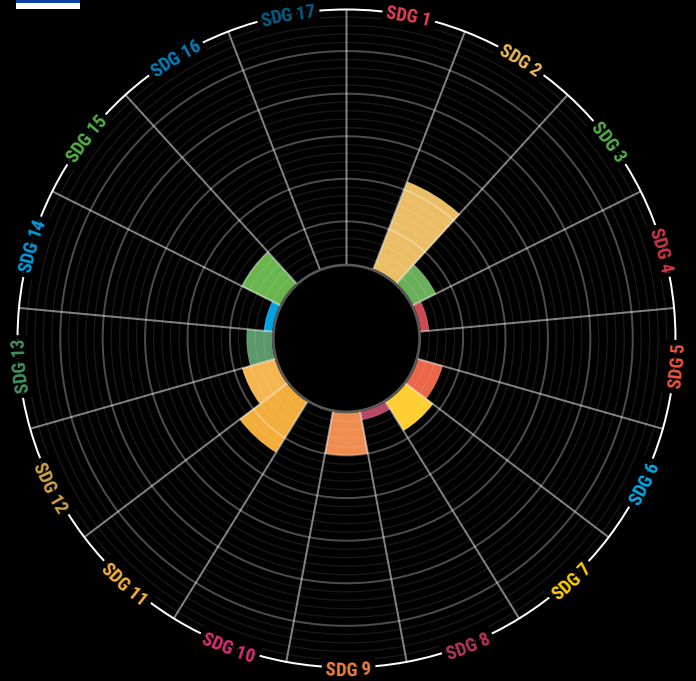


Saint Vincent and the Grenadines

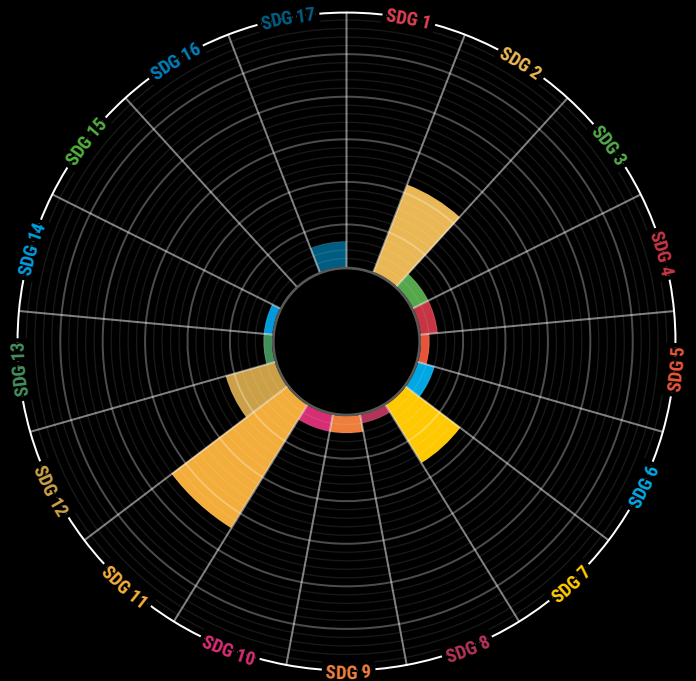
Suriname



Uruguay



Trinidad and Tobago



Venezuela



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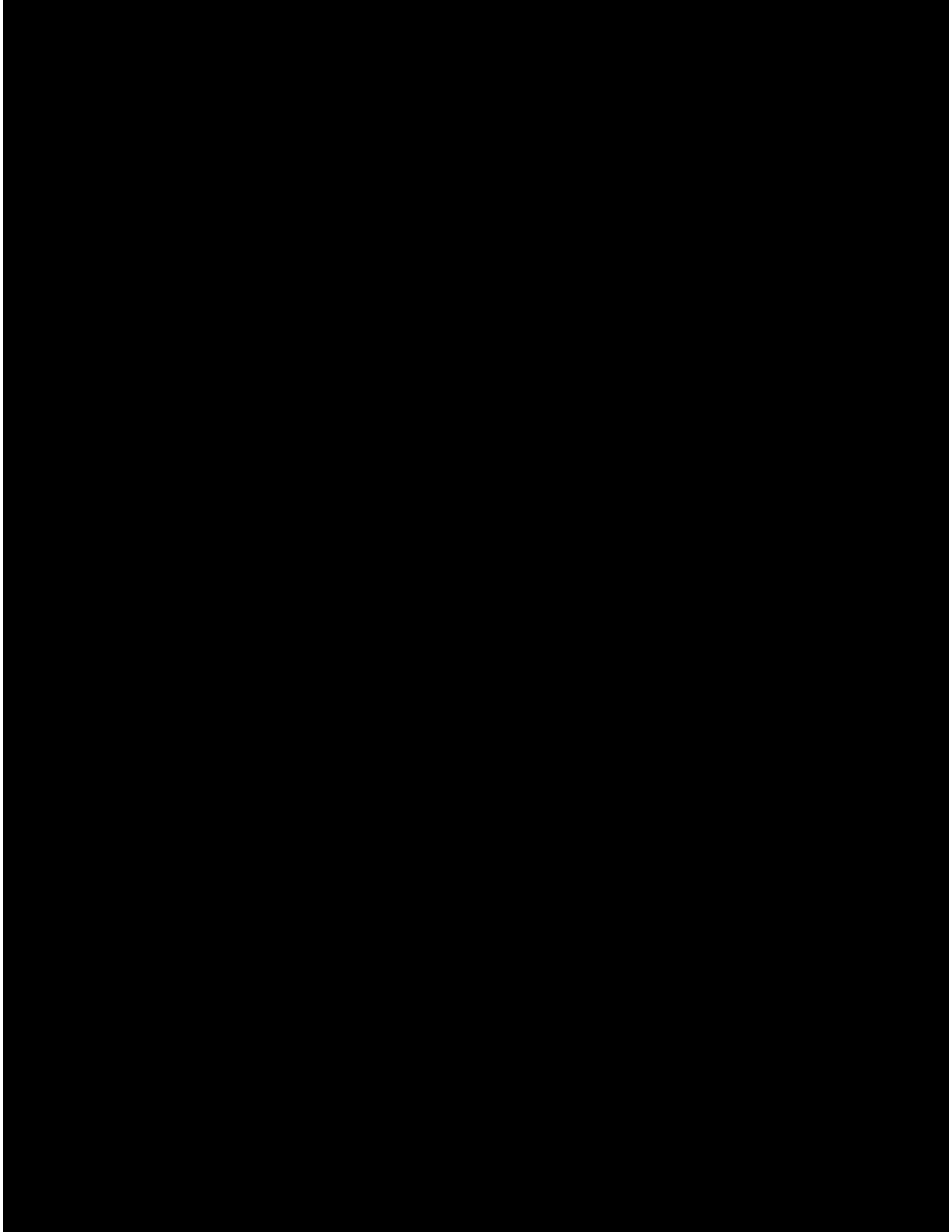
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