

LAMPIRAN II

Surat Nomor: 156A/SKL-DE/ICEL/VI/2025

Term of Reference

THE 5TH ASEAN ENVIRONMENTAL LAW CONFERENCE (AELC)

“Advancing Regional Commitments for Environmental Justice through Legal Approaches”

Background

ASEAN faces many pressing environmental and social challenges that require multi-layered and innovative responses. The fifth ASEAN Environmental Law Conference aims to bring together Asia Pacific and ASEAN legal experts to share a platform for exchange of knowledge and examine potential legal, policy, and community-based actions to transform the principles of environmental law into practice.

The conference theme looks at Advancing Regional Commitments for Environmental Justice through Legal Approaches. In the lead-up to COP 30 in Belém, Brazil in 2025, global attention is increasingly focused on accelerating climate action through stronger legal and institutional frameworks. As ASEAN member states prepare to engage in this pivotal climate negotiation, it is crucial to align regional efforts with global climate commitments, including the goals of the Paris Agreement and the push for climate justice. COP 30 presents a key opportunity for ASEAN to highlight its regional priorities, advocate for fair and equitable transitions, and reinforce the importance of legal tools in addressing climate-related loss and damage, adaptation, and mitigation. This conference provides an important platform to critically examine ASEAN’s role and responsibilities ahead of COP 30 and how legal approaches can support just and inclusive climate governance in Southeast Asia.

ASEAN’s expansive and ecologically significant marine environment also requires robust legal and policy measures to tackle pollution, protect marine biodiversity, ecosystems and coastal environments. Coastal communities with deep-rooted ties and ongoing dependence on marine resources, including indigenous peoples, should have meaningful and equitable participation in decision-making. It is necessary to strengthen the protection and empowerment of these vulnerable communities, promoting a more inclusive and sustainable approach to ocean governance.

It also focuses on the fundamental human right to a clean, healthy and sustainable environment. Recognition of this fundamental right is growing around the world, most notably with the United Nations General Assembly’s (UNGA) unanimous adoption of Resolution A/76/L.75 on July 28, 2022, calling on States to adopt policies and enhance international cooperation “in order to scale up efforts to ensure a clean, healthy and sustainable environment for all.” ASEAN recognized the right to a safe, clean and sustainable environment in the ASEAN Human Rights Declaration in 2009 (Article 28(f)). Since then, ASEAN has made much progress toward adopting laws and regulations to advance protections for environmental rights through the draft ASEAN Declaration on the Right to a Safe, Clean, Healthy and Sustainable Environment. led by the ASEAN Intergovernmental Commission on Human Rights (AICHR).

This Conference presents a unique opportunity for a robust discussion among lawyers, academics, NGO leaders, government representatives and the private sector on how laws and

regulations in ASEAN can be utilized to strengthen environmental justice, protect the climate and oceans as well as uphold environmental rights in the region.

The fourth ASEAN Environmental Law Conference also builds on the momentum from previous Conferences: 1st AELC: *Stories and Solutions in Challenging Times* (January 2021), 2nd AELC: *Transforming Principles into Practice* (April 2022), 3rd AELC: *The Future of Environmental Law in ASEAN and Beyond* (August 2023), and 4th AELC: *Using Law to Protect Environmental Rights in ASEAN*

Theme

To continue fostering networks and collaborative approaches to environmental problem-solving through strengthened environmental rule of law, the event will bring together experts and stakeholders to join in the conference with the theme **“Advancing Regional Commitments for Environmental Justice through Legal Approaches”**

Objective

The objective of the Conference is to provide a platform in the ASEAN region to identify actions to address major environmental issues through the environmental rule of law. Specifically, it seeks to:

1. Identify critical environmental issue in the current global dynamics and pathways to strengthen the fulfillment of environmental rights in ASEAN;
2. Empower the community of environmental lawyers and activists through dialogues on national and regional best practices and knowledge;
3. Map ASEAN community's potentials and challenges in the development of ASEAN Environmental Rights Framework and roadmap to COP 30;
4. Strengthen collective approaches and efforts to enhance regional progress on environmental law and rights.

Date and Location

The Conference will be held at:

Date : July 7 to 9, 2025. *The conference will be held over 2.5 days.*
Time : 09.00 am - 05.00 pm UTC+08.00
Location : Grand Mercure Seminyak
Jl. Arjuna No.40, Seminyak, Kec. Kuta, Kabupaten Badung, Bali 80361

Organizations

Organized by:

1. Asian Research Institute for Environmental Law (ARIEL)
2. Environmental Law Alliance Worldwide (ELAW)
3. Indonesian Center for Environmental Law (ICEL)

Supported by:

1. Dukungan Sumber Dana Kerjasama Indonesia - Norwegia Tahap Kesatu (Norway's Contribution for The Implementation of FOLU Net Sink 2030)
2. Lawasia
3. ASEAN Youth Forum
4. Raoul Wallenberg Institute

Participants

The conference is aimed at a multi-disciplinary audience from government, academia, and civil society, including 20 (twenty) young judges from Indonesia. Registration for the conference will be open to people outside the ASEAN region, and marketing efforts will also target participants from the Pacific, Australasia, and South Asia.

Agenda

Day 1: July 7, 2025

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| 08.30 am - 09:00 am | Registration |
| 09.00 am - 09:45 am | Welcome Address: <ol style="list-style-type: none">1. I Gusti Agung Sumanatha, S.H., M.H – Chairman of the Civil Chamber and the Coordinator of Environmental Working Group of the Indonesia Supreme Court2. Raynaldo G. Sembiring, S.H., M.Fil. – Executive Director of the Indonesian Center for Environmental Law |
| | Keynote Address <ol style="list-style-type: none">1. Mas Achmad Santosa – CEO of the Indonesia Ocean Justice Initiative2. Delima Silalahi – Executive Director of Kelompok Studi dan Pengembangan Prakarsa Masyarakat (KSPPM) |
| 09:45 am - 10:00 am | Introduction |
| 10:00 am - 10:30 am | <i>Morning Tea/Coffee Break</i> |
| 10:30 am - 12:00 pm | Plenary Session 1: Advancing Environmental Law in ASEAN: Recent Developments and Ways Forward |
| 12:00 pm - 01:30 pm | <i>Lunch</i> |
| 01:30 pm - 02:45 pm | Parallel Session 1A: Oceans and Marine Environment Parallel Session 1B: Climate and Just Energy Transition Parallel Session 1C: Environmental Human Rights Defenders and Anti-Strategic Lawsuits Against Public Participation |
| 02:45 pm - 03:15 pm | <i>Afternoon Tea/Coffee Break</i> |
| 03:15 pm - 04:30 pm | Parallel Session 2A: Pollution Parallel Session 2B: Indigenous Peoples Parallel Session 2C: Waste Management |
| 04:45 pm | <i>Close Day 1</i> |
| 07:00 pm | Cultural Night and Networking Dinner |

Day 2: July 8, 2025

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| 08:30 am - 09:00 am | Registration |
| 09:00 am - 09:15 am | Welcome and Introduction to Day 2 |
| 09:15 am - 10:30 am | Plenary Session 2: The Road to COP 30: Strengthening ASEAN's Leverage to Climate Adaptation, Mitigation, and Resilience - |
| 10:30 am - 11:00 am | <i>Morning Coffee/Tea Break</i> |
| 11:00 am - 12:15 pm | Plenary Session 3: Environmental Rights in ASEAN |
| 12:15 pm - 01:45 pm | <i>Lunch</i> |

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| 01:45 pm - 03:00 pm | Parallel Session 3A: Biodiversity Parallel Session 3B: Transboundary Harm and Regional Cooperation Parallel Session 3C: Procedural Environmental Rights |
| 03:00 pm - 03:30 pm | <i>Afternoon Tea/Coffee Break</i> |
| 03:30 pm - 04:45 pm | Working Group 1: Action and Ways Forward on ASEAN Environmental Rights Working Group 2: ASEAN's Concerns and Strategies to COP30 |
| 04:45 pm | <i>Close Day 2</i> |

Day 3: July 9, 2025

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| 08:30 am - 09:00 am | Registration |
| 09:00 am - 09:15 am | Welcome and Introduction |
| 09:15 am - 10:45 am | Parallel Session 4A: Forests Parallel Session 4B: Role of the Courts in Advancing Environmental Law Parallel Session 4C: Plastics and Toxics |
| 10:45 am - 11:00 am | <i>Coffee/Tea Break</i> |
| 11:00 pm - 12:30 pm | Plenary Session 3: Enhancing Environmental Governance in ASEAN |
| 12:30 pm - 01:30 pm | <i>Lunch</i> |
| 01:30 pm - 02:45 pm | Plenary Session 4: Report Back and Recommendations/Action Items |
| 02:45 pm - 03:00 pm | <i>Closing Remarks</i> |