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Newsletter of Activities of the IUCN Academy of Environmental Law

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MESSAGE FROM THE SECRETARIAT

As the IUCN Academy embarks on a new year, the Secretariat is reflecting back on a very productive 2009, during which a number of new initiatives were launched. These included our work on biofuels, the inaugural Scholarship Award, our web-based directory of scholars, a new electronic journal and a very successful annual event in Wuhan, China.

The Secretariat announced at the Wuhan Colloquium in November that it had received an anonymous donation of \$1 million, which has been matched by the University of Ottawa. The funds generated by this combined \$2 million

endowment will support the operating expenses of the Secretariat. The funds will support the advancement of capacity building in environmental law teaching and research with the IUCN Academy's member institutions in developing countries. The donation will also fund an annual \$15,000 scholarship for graduate students in environmental law or policy.

"The University of Ottawa is keenly aware of the significant role that the IUCN Academy plays in preparing the next generation of students and scholars—both locally and internationally—to positively influence the future development and implementation of improved environmental law and policy across the globe," states University President and Vice-Chancellor Allan Rock.

We are also pleased to announce that the Eighth Annual Colloquium will take place September 13–16, 2010 in Ghent, Belgium. The event will be hosted by the Law School of Ghent University, under the leadership of Dr. Frank Maes and his colleagues from the Centre of Environmental Law and Energy Law. The theme of the Colloquium will be **Linkages between Biodiversity and Climate Change**. The Call for Papers will be issued shortly.



Faculty of Law, Ghent University, Belgium

ANNUAL SCHOLARSHIP PRIZE

The Academy announced the two winners in the inaugural year of its Annual Scholarship Prize at a ceremony held during the week-long Colloquium in Wuhan, China

The Prizes were awarded to Professor Christina Voigt of the University of Oslo, Norway and to Professor Klaus Bosselmann of the New Zealand Centre for Environmental Law at the University of Auckland, New Zealand.

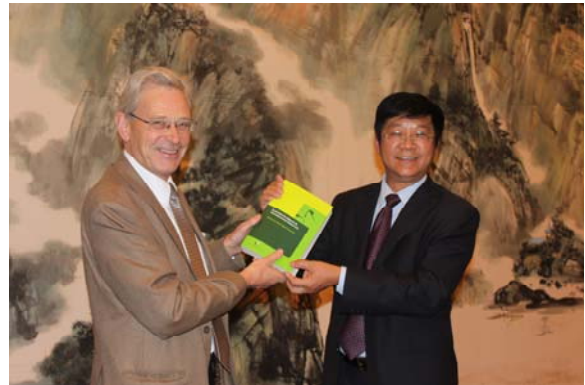
Professor Voigt received the award as Best Researcher in the category of Environmental Law Academic with less than 10 years of experience since attaining their first law degree and Professor Bosselmann was recognized as Best Researcher in the category of Environmental Law Academic with more than 10 years of experience.

The announcements were made by Professor Willemien du Plessis of North-West University in South Africa, co-chair of the Academy's Research Committee and Professor Rob Fowler, Chair of the Academy's Governing Board. Both noted that the two scholars had been recognized for originality and intellectual influence of their scholarship, international significance of their scholarship, enhancement of research collaboration among scholars and persons from different institutions and regions and, advancement of the aims of the Academy.



David Grinlinton, University of Auckland, accepting the Scholarship Award on behalf of his colleague, Klaus Bosselmann, with Rob Fowler, Chair of the Governing Board and Willemien Du Plessis, Co-Chair of the Research Committee, at the Wuhan Colloquium.

Although neither Professor Bosselmann nor Professor Voigt were able to take part in the Wuhan Colloquium, their colleagues, Professor David Grinlinton and Professor Hans Christian Bugge, respectively, graciously accepted the award on behalf of the two recipients. It is worth noting that both scholars have been active participants in activities and events of the IUCN Academy.



Hans Christian Bugge of the University of Oslo, who accepted the Scholarship Award on behalf of his colleague Professor Christina Voigt, with Director of RIEL at Wuhan University, Professor Wang Shuyi.

Dr Klaus Bosselmann, born in Germany, is Professor of Law and since 1999 Director of the New Zealand Centre for Environmental Law at the University of Auckland. He previously taught at the Free University Berlin and was a co-founder of Germany's first Institute for Environmental Law in Bremen. He was a visiting professor at leading universities in the United States, Brazil, Italy, Sweden and Germany. Klaus provided consultancy for the OECD, UNEP, EU, and the governments of Germany and New Zealand and was a delegate at the Earth Summits in Rio de Janeiro (1992) and Johannesburg (2002). He is a member of the International Law Association, the Global Ecological Integrity Group, the IUCN Academy of Environmental Law and the IUCN Commission on Environmental Law, currently chairing its Ethics Specialist Group. Klaus has a special interest in conceptual issues of sustainability law and governance including

ethics, principles, and convergence of international and national law. He has authored or edited eighteen books, contributed numerous book chapters and published over 60 articles in academic journals.



Professor Klaus Bosselmann



Professor Christina Voigt

Photo Credit:

Francesco Saggio ©University of Oslo

Dr. juris Christina Voigt (Norway), LL.M. (Envir), is a post doctoral Research Fellow and Lecturer at the Department of Public and International law, University of Oslo, Norway. She also lectures at the University of Lund, Sweden. She obtained the First (Universität Passau, 1996) and Second (1999) German Legal State Examination, holds a Master of Laws in Environmental Law, LL.M. (Envir), from the

University of Auckland, New Zealand (2002), and received a doctorate in law from the University of Oslo (2007). She teaches international and national environmental law, climate change law and policy as well as public international law. Her post doctoral research focuses on ‘Safeguarding the Environmental Integrity of the Global Carbon Market – The Example of the CDM’. Currently, Christina is on leave from her position at the University of Oslo to work for the Norwegian Government’s International Climate and Forest Initiative and the climate negotiating team at the Norwegian Ministry of the Environment.

Her recent publications include her book ‘Sustainable Development as a Principle of International Law - Resolving Conflicts between Climate Measures and WTO Law’ (Leiden: Martinus Nijhoff Publishers, 2009).

More details about both scholars’ publications can be obtained on the Academy website.

SEVENTH ANNUAL COLLOQUIUM IN WUHAN



Opening Plenary Session of the Seventh Annual Colloquium, Wuhan University Faculty of Law, November 2009

The Seventh Annual Colloquium of the IUCN Academy of Environmental Law took place in Wuhan, China, November 1 – 5, 2009. The theme of the Colloquium was **Environmental Governance and Sustainability**, with perspectives on a range of topics, including

sustainable management, climate change and adaptation, sustainable energy, and environmental justice. More than 170 scholars took part in the week's events and the majority of their electronic presentations are now available in downloadable format on the Academy's website. (www.iucnael.org)

The Colloquium's Distinguished Speaker, Prof. Dr. Michael Faure, of Maastricht University and Erasmus University in the Netherlands, delivered a very well-received lecture, posing the question: "Instruments for Environmental Governance: What Works?" (available at www.iucnael.org)



Michael Faure, Maastricht University and Erasmus University, the Netherlands and Distinguished Speaker at the Wuhan Colloquium

HONOURING THE FOUNDER OF ENVIRONMENTAL LAW IN CHINA

During the Colloquium, the IUCN Academy and Wuhan University's Research Institute of Environmental Law (RIEL) paid tribute to the memory of Professor Han Depei, a founder of environmental law in China.

At a special commemorative ceremony, the life and contributions of Professor Han Depei (1911-2009), Professor Qin Tianbao of RIEL at Wuhan University and Professor Ben Boer of the University of Sydney shared in the tribute to Professor Han Depei.

Professor Han Depei was one of the first people in China to recognize the importance of using legal instruments to prevent and control

environmental problems. He was instrumental in establishing Wuhan University Research Institute of Environmental Law. He also established the Chinese Association of Environmental Law, whose purpose was to bring together all environmental law scholars and practitioners nation wide. His book, *Textbook on Environmental Protection Law* is the first and still the most important textbook in the field in China, and is now in its fifth edition.

The tree-planting in his honour took place just outside the Law School at Wuhan University, and was recognition by the IUCN Academy of Environmental Law of "the extraordinary contributions of this great scholar and teacher"



Tree Planting Ceremony at Wuhan University, Left to Right: Xiao Yongping, Dean, School of Law, Wang Shuyi, Director, RIEL, Wuhan University, Rob Fowler, Ben Boer, Yves Le Bouthillier

MEETINGS OF THE GOVERNING BOARD AND COLLEGIUM AT WUHAN

On November 1st, a one-day meeting of the Governing Board was held, just prior to the opening of the Colloquium. The meeting, which was also attended by Dr. Alejandro Iza, Head of the IUCN Environmental Law Centre in Bonn, provided Board members and several Committee Chairs the opportunity to review the significant progress that has been made on membership development, the launch of the new website, and the solidifying of the Academy's financial position. The Board also

focused on the accomplishments and priorities of the Teaching and Capacity-Building and the Research Committees.

A new Committee has been created within the Board's structure, the Governance Committee, comprised of the Chair, Rob Fowler, the Director, Yves Le Bouthillier and two members, Anél du Plessis of North-West University in South Africa and Bob Percival of the University of Maryland in the USA. The committee's role is to develop and recommend guidelines with respect to effective governance of the Academy.

The Board reviewed the proposal on Training the Teachers, a major initiative under the auspices of the Board. The principal objective of the TTT course is to increase the capacity to teach environmental law within law schools in countries where such capacity currently is lacking. Under the direction of a Steering Committee, the Academy is now in discussions with various partners in China, India, Indonesia and Colombia to develop pilot initiatives. Further information about this new project is now available on the website at www.iucnael.org

The Collegium, or annual general meeting, was convened during the Colloquium week. The report from the Secretariat and the Governing Board was presented, along with financial results for the past year. These reports can be found at www.iucnael.org

MEETING OF GRADUATE STUDENTS

A meeting of Graduate Students in Environmental Law was held during the Wuhan Colloquium. It was convened by Robert Kibugi, a doctoral student at the University of Ottawa and fellow doctoral student Wang Huanhuan from Wuhan University. The meeting attracted over 20 participants from universities around the world, including China. Participants at the meeting engaged in vibrant discussions on their ongoing graduate research both at the Master's and Doctoral level. They shared the challenges, insights and possible best practices. Concern was expressed about the nature of research methodology employed in the various universities, especially on the use of secondary

sources and access to primary sources of literature including statutes, and analytical interviews. Participants also discussed the challenges of utilizing secondary literature, and balancing reasonable use of footnote citations without undermining integrity of originality of research work. In addition, a listserv based discussion board has now been set up to facilitate further networking and co-operation amongst themselves and within the IUCN Academy of Environmental Law structure.



Graduate students and professors, Wuhan Colloquium, November 2009

BIOFUELS WORKSHOP AT WUHAN

On October 31, 2009, the IUCN Academy's Research Committee hosted a special workshop on "Biofuels and Climate Change Law", to coincide with the IUCN Academy's Seventh Annual Colloquium in Wuhan, China. The workshop was attended by an internationally diverse group of close to 35 participants. Ten presentations canvassed comparative and international law perspectives on biofuels in relation to concerns about climate change.

Overall, the workshop helped to clarify:

- The various legal and policy challenges that countries face with regard to biofuels and how the governance of the biofuels industry should be seen as an important facet of climate change law.
- The proliferation of often divergent voluntary and mandatory rules concerning biofuels in both developed and developing countries.
- The design of new model regulations and accompanying policy frameworks to govern

biofuels that incorporate local economic and social interests while meeting environmentally sustainability criteria.

- Assessment of how international biofuels standards can be made compatible with international trade law and the proposed rules in the Copenhagen Protocol or other successor instrument to the Kyoto Protocol

ON-LINE JOURNAL LAUNCHED

The IUCN Academy has launched its electronic journal, with its new home on the Academy's website. The journal will provide a forum for broad membership of the Academy to discuss a range of key environmental law and policy developments world-wide. The journal will feature peer reviewed articles, less formal country reports and an opinion section outlining significant developments identified by Academy members and book reviews.

The E-Journal site can be accessed on the home page at www.iucnael.org. The first issue of the journal will be published in July 2010. A detailed "Call for Contributions" as well as style guidelines can be found on the website.

DIRECTORY OF SCHOLARS

A key initiative of the Research Committee in 2009 was an Academy-wide survey of members' institutions and their environmental law professors, regarding their research interests, publications and strategic priorities for their environmental law programs. A synthesis of the survey results is available in a report, written by Imran Akram of the Research Committee and can be accessed on the website. An important outcome of this survey has been the creation of the Directory of Scholars, which includes more than 150 scholars from around the world. This searchable database can be accessed on the website and provides essential elements related to each scholar's research interests and scholarly publications.

NEW ACADEMY BOOK

In November, *Climate Law and Developing Countries: Legal and Policy Challenges for the World Economy*, was published. This volume includes contributions from over 20 international scholars from developing and developed countries. The book considers the positions of developing countries in the negotiation of a new international legal regime to replace the Kyoto Protocol, as well as examining issues in relation to the implementation of CDM projects, governance of adaptation measures and regulation of the biofuels industry. The book originates from the September 2008 conference held in Ottawa on Climate Change in Developing Countries Post-2012. Copies of the book can be ordered on-line at www.e-elgar.co.uk

As an important part of the Academy's mission to build capacity in legal education, each member institution from the regions of the developing world will receive a complimentary copy of this volume.

VISITORS TO THE ACADEMY

In the past few months, the IUCN Academy and its host law faculty at the University of Ottawa have welcomed two visitors.

In September 2009, Professor Lee Godden was in residence as a visitor to the IUCN Academy of Environmental Law. Her faculty, Melbourne Law School (Australia) has recently joined the Academy, and her visit provided an opportunity to explore the programs and initiatives being developed at the Academy, while concurrently doing research in Canadian environmental law and Indigenous customary law.

Melbourne Law School has a well established profile in environment and resources law; with a range of these subjects now taught. Recent research projects include the international climate change law, trade law, climate litigation and coastal adaptation case law; water law and adaptive governance, indigenous peoples' rights and common governance of resources, fisheries and the 'fragmentation' of international institutions for environmental regulation. A

multidisciplinary environmental law book has recently been published. The teaching and research profile in the faculty builds, in part, on the strong interdisciplinary links across the University. The Office for Environmental Programs is a post-graduate multidisciplinary environmental program that involves research facilitation, teaching and community-oriented activities with involvement from nine faculty areas and over 150 subjects.

Professor Godden notes that “many parallels exist between Canada and Australia as resource-dependent nations with small populations, large land masses, high biodiversity and a growing role for indigenous peoples in sustainable environmental management. The IUCN Academy provides a window on the world for comparative environmental law. The links built between institutions and people are an important means to strengthen the environmental law and I extend my thanks to all at the Academy.”



Professor Mar Campins, University of Ottawa, November 2009

In November 2009, Professor Mar Campins of the Faculty of Law at the University of Barcelona visited the Academy and faculty members at the University of Ottawa law school. Professor Campins delivered a lecture on *The European View on Climate Change Law after Kyoto*.

ACADEMY MEMBER PROFILES

Lye Lin Heng

The Asia-Pacific Centre for Environmental Law (APCEL)

National University of Singapore



APCEL was established in 1996 by the Faculty of Law, National University of Singapore (NUS) on the initiative of the Faculty of Law and the Commission on Environmental Law (CEL) of the International Union for the Conservation of Nature and Natural Resources (IUCN), in collaboration with the United Nations Environment Programme (UNEP). The initiative was in response to the call in Agenda 21 to build capacity in environmental law and to promote awareness of environmental issues. The Faculty of Law at NUS has established itself as one of the best law schools in the region, with one of the leading law libraries in the common law jurisdiction. See www.law.nus.edu.sg

APCEL serves as a regional training centre for the teaching of environmental law; to organise conferences, seminars and other programmes on environmental issues; to serve as a regional centre for research, including multi-disciplinary research on international, regional and national environmental law and policy; to promote the exchange of information on international, regional and national environmental law and policy and to cooperate and collaborate with law schools, institutes, centres and such other organizations to further its objectives.

Since its establishment, APCEL has been engaged in numerous activities aimed at capacity building and research. Its members, who are in the academic staff of the Faculty of Law, have been

offering courses on environmental law to undergraduate and graduate law students. APCEL also plays a leading role in the university's multi-disciplinary environmental management programme, the M.Sc. (Env. Mgt.) [MEM], hosted by the School of Design and Environment. Environmental Law is one of the core components of this programme. See <http://www.sde.nus.edu.sg/MEM/index.htm>

APCEL collaborates with many international, regional and local institutions in developing capacity-building courses in environmental law and management. Materials from its first two 'Training the Trainers' programmes for environmental law professors in the region have been published in two volumes entitled, *Capacity Building for Environmental Law in the Asian and Pacific Region: Approaches and Resources* (Asian Development Bank: 2nd edition, 2003). This publication is being widely used in the region as well as internationally.

APCEL conducts numerous other capacity building courses for government officials in the Ministry of Environment and Water Resources, the Public Utilities Board, the National Environment Agency and the National Parks Board. Since 1999, it has conducted Workshops on "Urban and Industrial Environmental Management: the Singapore Model" for policy makers, senior officials and administrators in developing countries under the Technical Assistance Programme of the Singapore Ministry of Foreign Affairs (MFA). These Workshops are sponsored by MFA. APCEL members have served as resource persons in many workshops and seminars in the region as well as internationally, and have taught at leading universities in the United States, Australia, Mexico, Hong Kong and elsewhere.

APCEL's recent publications include *ASEAN Environmental Law, Policy and Governance: Selected Documents* (Volume 1), compiled and edited by Koh Kheng Lian (World Scientific 2009, 713 pages); and *Critical Issues in Climate Change and the Kyoto Protocol: Asia and the World*, Koh Kheng-Lian, Lye Lin-Heng and Jolene Lin, eds. (World Scientific, 2009, 576 pp).

APCEL's activities also include the organization of various conferences on cutting-edge issues

such as sustainable development of coastal and ocean areas in Southeast Asia, trade and environment, intellectual property rights and biological resources, and crucial issues in climate change and the Kyoto Protocol.

APCEL members have undertaken research in various areas of the environment including pollution laws, biodiversity conservation, trade in endangered species, marine environmental law, transboundary haze issues, environmental aspects of zoonotic diseases, environmental impact assessments, climate change, trade and the environment, water resources management, ASEAN environmental law and governance, and environmental law in Singapore and Southeast Asia.

Prof Lye Lin Heng, APCEL's Deputy Director and Chair of the MEM program, is a member of the Board of Governors of the IUCN Academy of Environmental Law, and co-chair of its Teaching and Capacity Building Committee. lawlyelh@nus.edu.sg

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Irina Krasnova
Russian Academy of Justice, Moscow



The Russian Academy of Justice has been member of the IUCN Academy of Environmental Law since 2007.

It was founded by the Supreme Court of the Russian Federation and Higher Arbitration Court of the Russian Federation on 11 May 1998 according to the Presidential Decree. In conformity to its Statute, it is an institution aimed to provide legal education according to

regular programs to students, but also has a special department that is responsible for upgrading the legal knowledge of judges. The Rector of the Academy is Professor Valentin Ershov. The Academy has 10 branches located in various regions of Russia.

Within the structure of the Academy of Justice, there are 20 departments (kafedras) with the Department of Land Use and Environmental Law among them. The Department is represented by 10 professors – including well known experts as well as new instructors, often with scientific degrees. It is headed by Professor Irina Krasnova. The Department is responsible for ensuring the teaching process for regular students in basic mandatory courses, including environmental law (1 semester) and land use law (1 semester). In addition the Department teaches optional courses in land deals, environmental control and compensation of environmental damage, international environmental law.

In November 2009 the Department conducted a students conference with some 10 students speaking on various timely topics of environmental law development in Russia. The professors of the Department participate in environmental law forums with the outcomes of their scientific research, as well as publishing articles. At the recent conference arranged by the Russian Academy of Justice in Moscow in November 2009 “Innovations in Law”, the professors of the Department made presentations on such topics as “Environmental Standards – Ways to Go Forward” and “Liability for Illegal Hunting”. One notable presentation at the Russian environmental forums was “Charges for Air Pollution – Liability or Legalization of a Violation?”

The Academy issues a monthly magazine “Russian Justice”, where prominent experts in various fields of law and judges publish their articles on problems of judicial activities, raise issues connected with improvements of the legislation and its implementation. The Academy arranges many national and international conferences annually, with the most recent held in December 2009, dedicated to the 50th Anniversary of the European Court of Human Rights.

Anél du Plessis
Faculty of Law, North-West University
South Africa



Law Faculty at North-West University,
Potchefstroom Campus

Environmental law is one of a number of key focus areas within the Faculty’s Research Unit entitled: Development in the South African Constitutional State. The Unit is headed by Prof Willemien du Plessis. The current research topics of colleagues, post-graduate students and post-doc fellows in environmental law focus, inter alia, on the challenges related to: integrated pollution control, environmental compliance and enforcement, land use management and poverty, environmental governance; local environmental governance; good environmental governance, cross-border governance and intergovernmental relations; insolvency and environmental law; green procurement; corporate social responsibility; novel environmental management models and tools), water management, natural resources and the public trust doctrine, the role of the judiciary in the development of environmental law and constitutional environmental law, as well as international and regional law especially pertaining to the African Union and the South African Development Community (SADC).

The Faculty has been host to the Secretariat of the Environmental Law Association of South Africa (ELA) since 2006. Some of the highlights of 2008/2009 in relation to Faculty members’ project involvement include:

- Completion of a collaborative research project involving institutions in South Africa and the Netherlands on cross-border environmental governance in SADC. The project required the analysis of the environmental law frameworks in South Africa, Lesotho, Swaziland and Mozambique;
- Participation in the South African Law Reform Commission's review of the national environmental, land and local government law frameworks in order to ensure sufficient provision for matters of equality;
- The drafting of six standard draft environmental bylaws for the North West Provincial Government as part of a project commissioned and funded by the Office of the Premier's Research Committee. Bylaws have been designed for municipalities' regulation of environmental management, biodiversity and protected areas, cultural heritage resources, air quality, water services provision and waste management;
- The approval of a National Research Foundation (NRF) Project on Local Government and Environmental Rights for three years in a row; and
- Involvement in the establishment of the Academic Partnership for Environment and Development in Africa (APEDIA). The Partnership's first conference was held in Kampala, Uganda in December 2009 and focused on 'Land Use and Conflict: Sources and Solutions'.

The NWU Faculty of Law is part of the consortium of universities that will be hosting the IUCN Academy of Environmental Law Colloquium in South Africa in 2011. We look forward to welcoming members in our beautiful country!

Solange Teles da Silva
State University of Amazonas
Brazil



The Master of Environmental Law program at the State University of Amazonas - UEA constitutes an area of academic reflections on the law, especially on environmental law. It proposes to train professionals to integrate the teaching staff of higher education institutions in the region, as well as qualifying them for research. Further, the program aids in the training of professionals to use and build legal instruments with the aim of promoting socio-economic development associated with the use of natural resources; producing and disseminating knowledge to suit the requirements of regional public and private sectors, promoting the integration of the various economic practices (industrial, extractive, biotechnology, etc.) for sustainable development and, finally, training staff for excellence in Environmental Law. The program is based firmly on an interdisciplinary approach to legal research, drawing on the natural sciences, humanities and social sciences.

The research in this program is developed in two fields: "Conservation of Natural Resources and Sustainable Development" and "Social and Biodiversity Law". There are four groups of research: (1) Law, Traditional Communities and Social Movements (Joaquim Shiraishi Neto); (2) Law and Fishing (Serguei Aily Franco de Camargo); (3) Law, Natural Resources and Environmental Conflicts (Solange Teles da Silva); (4) Cultural Heritage and Environmental Law (Andrea Borghi Moreira Jacinto).

We have just concluded a project research entitled “Law, Natural Resources and Environmental Conflicts: Amazon Cooperation Treaty” that analyzed the different national legal systems of the countries on the Amazon Region and international standards for the use and appropriation of space and natural resources, taking into account the social and biodiversity. More information can be accessed at : www.pos.uea.edu.br/direitoambiental
E-mail - pmda@uea.edu.br

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Robert Percival
University of Maryland, USA
Expanding Environmental Horizons at the
University of Maryland



Graduating Students, School of Law,
University of Maryland

Maryland has one of the oldest Environmental Law Programs in the United States. It will celebrate its 25th anniversary in 2012 when it serves as host for the Academy’s 10th annual Colloquium. From the very start Maryland’s program has offered students the full range of experiences available in the environmental field. Students are able to work at the local, state, national, and global levels through a full service Environmental Law Clinic, an extensive externship program, and a broad environmental curriculum that emphasizes the integration of science and law.

Maryland’s Environmental Law Clinic trains students in negotiation, litigation, and policy analysis. Representing citizens groups, riverkeepers, and state legislative committees, the Clinic recently has won important victories imposing new controls on stormwater discharges and broadening the standing of citizen groups to challenge the issuance of permits. Under the direction of Professor Jane F. Barrett, who has more than 30 years of experience as an environmental prosecutor and white collar defense lawyer, the Clinic on December 7 petitioned EPA to require a major overhaul in enforcement of laws to protect the Chesapeake Bay.

With the law school located only 35 miles from Washington, students in Professor Robert Percival’s Environmental Law class regularly make field trips to the U.S. Supreme Court to watch oral arguments in environmental cases. Percival, who clerked for a U.S. Supreme Court Justice, most recently took students to watch the December 2 argument in a Florida case concerning whether a beach replenishment project is a regulatory taking.

For the past eight years Professor Percival’s students also have made short documentary films about environmental topics. The fall 2009 class made 13 films on topics such as environmental justice, pesticide use, tire recycling, urban gardening, solar technology, the effect of wind farms on birds, environmental history, ethanol and “clean coal.” An independent panel of judges then awards “golden trees” to the best films in several categories. Films can be viewed online at: <http://digitalcommons.law.umaryland.edu/envirofilms>.

In March 2010, 40 Maryland students will participate in the school’s second spring break trip to China in the last three years, meeting with Chinese environmental lawyers, professors and students. During their last trip in 2008, they helped inspire Professor Percival’s Chinese students to make their own environmental films and to become the first Chinese law school to compete in the finals of the International Environmental Moot Court Competition. For the past two years Maryland has hosted the

North American finals of this global competition. Maryland also hosts a visiting global environmental law scholar each year. This year's visitor is Professor Zhang Shijung from Shandong University.

Maryland students can graduate with a certificate of concentration in environmental law and they also can pursue a joint J.D./MPH with the Johns Hopkins University Bloomberg School of Public Health. Professor Rena Steinzor, a pioneer in interdisciplinary education with decades of experience teaching and practicing environmental law, has been a leading advocate of efforts to improve the use of science in environmental policymaking. As president of the Center for Progressive Reform, a think tank of leading scholars, Professor Steinzor has played a major role in shaping national environmental policy while providing opportunities for students to gain experience in policy work.

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Justin Rose
University of the South Pacific



Law Students on Open Day at Emalus Campus, USP, Port Vila, Vanuatu

The University of the South Pacific is one of only two regional universities in the world, being the primary provider of tertiary education for twelve of the small island developing states in the Pacific island region. While USP's main campus is located in Fiji, the School of Law is

situated in Port Vila, capital of the Republic of Vanuatu.

All Pacific island countries are confronting severe environmental challenges, and for the atoll nations of Kiribati, Tuvalu and the Marshall Islands the impacts of climate change will in this century threaten their very existence. In response to these developments, and the accordingly high priority now placed upon effective environmental governance by member states, the USP School of Law is enhancing its programs in Environmental Law.

2010 will see the launch of USP's Master in Environmental Laws degree; both postgraduates and undergraduates can now elect to study four specialist environmental law units, in addition to related courses such as Marine Law, Law of the Sea and Customary Law. Our specialist faculty members include Aidan Ricketts, Yoli Tomtavala and most recently Justin Rose. Their combined environmental law research interests include biodiversity, marine and fisheries law, climate change, environmental activism, as well as Pacific indigenous and customary environmental management.

In late 2010 the USP School of Law will be hosting an international conference on *Climate Change Governance and Law in Pacific Island Countries*. This will be a substantial gathering of both scholars and practitioners concerned with the legal aspects of responding to the impacts of climate change in Pacific island countries, and associated issues such as climate refugees and the possibility of disappearing states. During coming months we will be providing detailed information regarding conference preparations through various channels, including the IUCN Academy of Environmental Law, whose members we warmly invite to participate.

We also welcome inquiries from prospective visiting environmental law scholars, particularly those interested in topics such as climate change, indigenous and plural legal systems, biodiversity, oceans and fisheries, and comparative environmental law. For more information regarding any of the matters outlined in this article feel free to contact Dr. Justin Rose at Rose_J@vanuatu.usp.ac.fj

Deng Haifeng
Lecturer at Law School
Secretary General
Center for Environmental, Natural
Resources & Energy Law
Tsinghua University



The Center for Environmental, Natural Resources & Energy Law, Tsinghua University (THCEREL), is a cross-disciplinary academic research institute authorized by Tsinghua University on December 7th, 2000. It is administratively affiliated to Tsinghua Law School and composed of research members from the School of Law, School of Public Policy and Management, School of Humanities and Social Sciences, Department of Environmental Science and Engineering, Department of Hydraulic Engineering, Department of Thermal Engineering and Institute of Nuclear and New Energy Technology. The aim of establishing THCEREL is to strengthen academic research on laws and policies of environment, natural resource, and energy, to promote the development of relevant disciplines, and to render service to the environment protection and sustainable development of China by comprehensively utilizing the strength of Tsinghua University in various fields such as environment, resources, energy, management, and law. Since its founding, THCEREL has made significant progress on the development of discipline, talent cultivation, academic research, and academic exchanges

On teaching and talent development aspects, THCEREL offers two courses for undergraduates of Law School, “General Introduction of Environmental and Natural Resources Law” and “International Environmental Law”. THCEREL enrolls graduate candidates specialized in Environmental, Resources Law and Energy Law; doctoral candidates specialized in Environmental and Resources Law under the doctoral program of Civil and Commercial Law; and jointly cultivate postdoctoral researchers on Environmental, Resources and Energy Law with the Department of Environmental Science and Engineering, and Institute of Nuclear and New Energy Technology.

On academic research and social service aspects, THCEREL has hosted national academic conferences and international academic conferences times; continues to undertake more than a dozen research projects supported by the state, provincial or local governments, Tsinghua University, and participating in multiple international cooperation projects. Members of THCEREL have joined in multiple research projects on environmental law and rule as consulting experts of organizations such as Environmental Protection and Resource Conservation Committee, National People’s Congress; State Environmental Protection Administration (SEPA); Asian Development Bank (ADB), World Bank etc. The research projects include drafting the “Law for Promoting Development and Utilization of Renewable Energy in PRC” (draft by experts); “Law of the People’s Republic of China on Promoting Clean Production” (draft)

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Anita Rønne
The Faculty of Law
University of Copenhagen



With more than 4,000 students, the Faculty is the largest of Denmark's four law schools. It is also the oldest law faculty in Denmark as it has existed since 1479. The Faculty currently holds a position as one of the leading research and educational environments in the Nordic region. It has developed an ambitious strategy for the Faculty's activities through until 2012 and its aim is to ensure and develop the high quality of our study programmes and our research. This video provides a brief introduction:

<http://jura.ku.dk/english/video/>

Courses within Environmental Law – international, EU and national, Climate Change Law and Energy Law – are offered at the Masters level and in the English language and are under the responsibilities of Professor Peter Pagh and Associate Professor Anita Rønne.

North Sea Energy Law Programme (NSELP) is offered by the Faculty of Law at the University of Copenhagen together with the Universities of Groningen (the Netherlands), Oslo (Norway), Aberdeen (United Kingdom). The project has been funded with support from the European Commission. See: <http://www.nselp.eu>.

Master in Environmental and Energy Law (MEEL) is a two-year part-time degree program designed for professionals working within the environmental and energy areas (in Danish). MEEL is offered in cooperation between professors and researchers from three Danish universities: University of Aarhus - Aarhus School of Business; University of Southern Denmark, and the University of Copenhagen – Faculty of Law and Faculty of LIFE Sciences.

E-learning Course on Climate Change

The University of Copenhagen offers an interdisciplinary E-learning course on Climate Change Impacts, Adaptation and Mitigation for students with a relevant BSc background in natural science, social science, law and economics. The course is developed in close cooperation between University of Copenhagen, the Danish Meteorological Institute, UC Berkeley and Australian National University and involves members of the Intergovernmental Panel of Climate Change (IPCC). The course is developed by an interdisciplinary team of teachers.

Within the areas of **Global Warming, Natural Resource Management, and Environmental Governance**, the following regulatory and institutional areas are studied at the Faculty of Law and the Faculty of Life Sciences:

Laws, legal and economic regulatory mechanisms, and processes that affect the way powers are exercised at the global, European and national levels in the field of environmental policies, including climate, energy, trade, natural resources (e.g. energy, water, fish and forest), transport and agriculture. It embraces the institutional set up as well as action by executive bodies, assemblies (e.g. national parliaments) and judicial bodies (e.g. national courts and tribunals), but also the corporate and citizen context e.g. through participation in the regulatory process.

Moreover, research attention is on human-environment interaction in land use change, strategies for natural resources management for climate change mitigation and adaptation, including environmental planning and regulation and land use planning/ management and legal,

economic, cultural and institutional conditions for development. Areas like environmental liability, biodiversity conservation and the environmental jurisprudence of international human rights bodies are also research areas together with measures for reducing green house gas emissions from deforestation and forest degradation in the international regime to fight climate change.

Finally, the potential role of alternative fuels in the future development is analysed and the legal and regulatory issues that are confronting policymakers, energy producers and consumers to advance the goals of moving towards a sustainable future. In this field potential barriers and incentives for the further development of renewable energy are studied, their processing for heat, power and transport, and the impacts of on food and plant production and quality. The relative impact of climate change and how conservation strategies can mitigate such effects are also a research theme together with the design of cost-effective approaches, emission trading and credits and CO₂-emission capture and storage.

BOOKS AND CONFERENCES

New and Forthcoming Books (as suggested by the Research Committee)

Baber, Walter F. and Robert V. Bartlett, *Global Democracy and Sustainable Jurisprudence: Deliberative Environmental Law* (MIT Press, 2009).

Black, C.F., *The Land is the Source of the Law: A Dialogic Encounter with Indigenous Jurisprudence* (Routledge, 2010).

Bodansky, Daniel, *The Art and Craft of International Environmental Law* (Harvard University Press, 2009).

Bosso, Christopher, *Governing Uncertainty: Environmental Regulation in the Age of Nanotechnology* (Resources for the Future Press, 2010).

Bratspies, Rebecca and Russell Miller (eds), *Transboundary Harm in International Law: Lessons*

from the Trail Smelter Arbitration (Cambridge University Press, 2010).

Churchill, Robin and Daniel Owen, *The EU Common Fisheries Policy: Law and Practice* (Oxford University Press, 2010).

Cullet, Philippe, Alix Gowlland-Gualtieri, Roopa Madhav, and Usha Ramanathan, *Water Law for the Twenty-First Century: National and International Aspects of Water Law Reform in India* (Routledge, 2009).

Driesen, David and Alyson C. Flournoy, *Beyond Environmental Law* (Cambridge University Press, 2010).

Ferris, Ted and Honquin Zhang, *China Environmental Law Deskbook* (Environmental Law Institute, 2010).

Fisher, Douglas, *The Law and Governance of Water Resources: The Challenge of Sustainability* (Edward Elgar, 2010).

Forrest, Craig, *International Law and the Protection of Cultural Heritage* (Routledge, 2010),

Freestone, David and Charlotte Streck, *Legal Aspects of Carbon Trading: Kyoto, Copenhagen and Beyond* (Oxford University Press, 2009).

Lee, Maria, *EU Regulation of GMOs: Law and Decision Making for a New Technology* (Edward Elgar, 2009).

Lye, Lin-Heng, Janet Milne, Hope Ashiabor, and Kurt Deketelaere, *Critical Issues in Environmental Taxation: Volume VII* (Oxford University Press, 2009).

Macrory, Richard, *Regulation, Enforcement and Governance in Environmental Law* (Hart Publishing, 2009).

Nanda, Ved P. and Laura Westra, *Environmental Justice and the Rights of Ecological Refugees* (Earthscan, 2009).

Pallemaerts, Marc, *The Aarhus Convention at Ten: Interactions and Tensions Between Conventional International Law and EU Environmental Law* (Europa, 2010).

Pattberg, Philipp, Zelli Fariborz and Frank Biermann (eds), *Global Climate Governance Beyond 2012: Architecture, Agency and Adaptation* (Cambridge University Press, 2010).

Richardson, Benjamin, Yves Le Bouthillier, Heather McLeod-Kilmurray and Stepan Wood, *Climate Law and Developing Countries: Legal and Policy Challenges for the World Community* (Edward Elgar Publishing, 2009).

Soltau, Friedrich, *Fairness in International Climate Change Law and Policy* (Cambridge University Press, 2009).

Stewart, Richard, Benedict Kingsbury and Bryce Rudyk (eds), *Climate Finance: Regulatory and Funding Strategies for Climate Change and Global Development* (New York University Press, 2009).

Tienhaara, Kyla, *The Expropriation of Environmental Governance: Protecting Foreign Investors at the Expense of Public Policy* (Cambridge University Press, 2009).

Forthcoming Academic Conferences and Other Events

“Human Rights and the Environment”
International Law and Human Rights Research Unit, University of the West of England, Bristol, England, 29 June 2010
[http:// www.law.uwe.ac.uk/CHRE](http://www.law.uwe.ac.uk/CHRE)

“Ecological Integrity and Globalization: Science, Human Behaviour, Public Policy and the Law”,
Global Ecological Integrity Group Conference, University of British Columbia, Canada, 28 June – 3 July 2010:
<http://www.globalecointegrity.net/>

“Environmental Justice and Global Citizenship”,
9th Global Conference, 11-13 July 2010, Oxford University, UK: <http://www.h-net.org/announce/show.cgi?ID=172213>

“Fairness in International Environmental Law”,
European Society of International Law Group of Interest in International Environmental Law, 2 September 2010, Cambridge University, UK:
<http://esiligiell.wordpress.com/>

Queensland Environmental Law Association Annual Conference, 19–21 May 2010.
Noosa Head, Australia:
<http://www.qela.com.au>

“Regulating Global Concerns: Climate Change, Environmental Protection and IP Rights”, 10-12 May 2010, Sønderborg, Denmark
http://www.neln.life.ku.dk/Calendar/20100510_Regulating_Global_Concerns.aspx

“The Politics of Biodiversity”, National Environmental Law Association Conference, 20-23 October, 2010. Canberra, Australia:
<http://www.nela.org.au/>

Society for Environmental Law and Economics, Annual Conference, 26-27 March 2010, Emory University, Atlanta, USA:
<http://www.ssrn.com/update/ern/ernann/ann09165.html>

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This newsletter was edited by Carolyn Farquhar and includes contributions from Benjamin Richardson, Robert Kibugi and each of the individuals featured in the Academy Member Profiles. Our thanks to all.

Please provide any comments or submissions to Carolyn at Carolyn.Farquhar@uottawa.ca