

**STRENGTHENING CAPACITY FOR  
ENVIRONMENTAL LAW IN MALAYSIA'S  
JUDICIARY:  
TRAIN-THE-JUDGES PROGRAM (TTJ)  
10 - 13 JULY 2017  
ILKAP, BANGI, MALAYSIA**

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**CREATION OF ENVIRONMENTAL LAW JUDICIAL NETWORK**

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# NETWORKING

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- Networking is a good method of getting together for a group of people sharing the same interest, for eg. environmental law issues network.
- Networking is important because it builds relationships. Good relationships with others at work improves the perception of project success as well.
- Networking is good for you because it's a way to learn more about the situation you are facing, understand the industry, community, environment better and hear about the challenges faced by your contacts.

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- A successful network must be balanced. If you ask for someone's help or use a contact for your gain, make sure you are ready to give back when called upon. This requires trust from both parties, so link yourself with people whose reputation and ethics you believe in. Chances are good they feel the same way about you.
- However, a true working network requires maintenance. Send your contacts personalised updates every now and again. Meet for coffee just to catch up and see how the others are doing. Putting in a little effort can go a long way.

# TOOLS FOR NETWORKING

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- Internet
- Mobile phones
- Face to face
- Formal meetings
- Social functions
- Academic and business arrangements
- Publications

# EXAMPLES OF NETWORKINGS

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- The **European Union Forum of Judges for the Environment (EUFJE)** was created in Paris on February 28, 2004, on the initiative of Mr Guy Canivet, First President of the Cour de Cassation (France), Amedeo Postiglione, Judge of the Corte Suprema di Cassazione (Italy), Luc Lavrysen, Judge of the Constitutional Court (Belgium) and Lord Justice Robert Carnwath, Judge of the Court of Appeal (England and Wales).
- The Forum has its origins in the United Nations Programme for the Environment (UNEP), which initiated a meeting of all the Presidents of Supreme Courts and Chief Justices of the world during the August 2002 Johannesburg summit.

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- EUFJE was created with a view to raising the awareness of judges of the key role of the judicial function in the effectiveness of sustainable development.
- The June 21, 1993 Lugano Convention on civil liability for damage resulting from activities dangerous to the environment, the November 4, 1998 Strasbourg Convention on the protection of the environment through criminal law and the June 23 and 25, 1998 Aarhus Convention on access to information, public participation in decision making and access to justice in environmental matters underline this requirement and give the judiciary a central role in the enforcement of environmental law.

# THE ASIAN JUDGES NETWORK ON ENVIRONMENT (AJNE)

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The network is the culmination of work begun at the first Asian Judges Symposium on the Environment held at ADB headquarters in 2010.

The AJNE is an information and experience sharing arrangement among senior judges of the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC). This informal trans-governmental network is committed to providing a dynamic forum for judicial capacity building and multilateral exchanges on environmental adjudication.

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## SIXTH ASEAN CHIEF JUSTICES' ROUNDTABLE ON ENVIRONMENT: FORGING THE SUSTAINABLE FUTURE OF THE ASEAN REGION

- From 10-13 November 2016, the Supreme Court of the Philippines and ADB co-hosted the Sixth ASEAN Chief Justices' Roundtable on Environment with the theme "Forging the Sustainable Future of the ASEAN Region."



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## WORLD CONFERENCE ON ENVIRONMENT - 2017

- The World Conference on Environment held in New Delhi, India is a further step towards pioneering approaches which will have repercussions globally on all environmental policy areas.

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[Proceedings of the Fourth South Asia Judicial Roundtable on Environmental Justice](#)

This publication documents the proceedings of the Fourth South Asia Judicial Roundtable on Environmental Justice, held on 28–29 November 2015 in Kathmandu, Nepal.

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## Fifth ASEAN Chief Justices' Roundtable on Environment: ASEAN Judicial Cooperation on the Environment - The Proceedings

- Climate change knows no limits—geographical, judicial, or administrative. The fifth roundtable began with a clear focus on the importance of cooperation and collaboration between judiciaries and the benefit of judicial networks.

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## Natural Capital and the Rule of Law: Proceedings of the ADB Second Asian Judges Symposium on Environment 2013

- This publication captures the proceedings of the Second Asian Judges Symposium: “Natural Capital and the Rule of Law” held 3–5 December 2013 in Manila, the Philippines.

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## Fourth ASEAN Chief Justices' Roundtable on Environment: Role of the Judiciary in Environmental Protection. The Proceedings

- The Hanoi Action Plan to Implement the Jakarta Common Vision signifies the Southeast Asian chief justices and senior judges' continuing commitment to promote environmental justice and strengthen the environmental law enforcement chain.

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## Proceedings of the Third South Asia Judicial Roundtable on Environmental Justice for Sustainable Green Development

- This publication documents the proceedings of the Third South Asia Judicial Roundtable on Environmental Justice for Sustainable Green Development, held on the 8th and 9th of August 2014 in Colombo, Sri Lanka.

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## Third ASEAN Chief Justices' Roundtable on Environment: ASEAN's Environmental Challenges and Legal Responses. The Proceedings

- This publication contains the proceedings of the Third ASEAN Chief Justices' Roundtable on Environment: ASEAN's Environmental Challenges and Legal Responses, held in Bangkok on 15-18 November 2013.

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## Proceedings of the Second South Asia Judicial Roundtable on Environmental Justice

- Adoption of the Thimphu Declaration on Enhancing Environmental Justice in South Asia highlights the Second South Asia Judicial Roundtable on Environmental Justice on 30–31 August 2013 in Thimphu, Bhutan.



# LANDMARK CASES

<u>TITLE</u>	SUBJECT	COUNTRY
<u>Director of Forestry, et al. v. Muñoz, et al.</u>	Forestry	Philippines
<u>Ketua Pengarah Jabatan Alam Sekitar &amp; Anor v.Kajing Tubek &amp; Ors &amp; Other Appeals</u>	Environment Protection Law	Malaysia
<u>Laguna Lake Development Authority (LLDA) v. Court of Appeals</u>	Environmental Protection	Philippines
<u>MMDA v. Concerned Residents of Manila Bay</u>	Water	Philippines
<u>Oposa v. Factoran</u>	Environmental Protection	Philippines
<u>Shell Philippines Exploration B.V. v. Jalos et al.</u>	Sea	Philippines
<u>Social Justice Society (SJS) et al. v. Atienza</u>	Environmental Protection	Philippines
<u>Tan v. Director of Forestry</u>	Forestry	Philippines
<u>Tano v. Socrates</u>	Fisheries	Philippines
<u>West Tower Condominium Corporation v. First Philippine Industrial Corporation</u>	Dangerous Substances	Philippines

# CONT'D

TITLE

SUBJECT

COUNTRY

Wong Keng Liang - The Lizard  
King Case

Endangered Species

Malaysia

Ysmael v. the Deputy  
Executive Secretary, et al.

Flora and Fauna

Philippines

# CAPACITY BUILDING

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- 27 April 2017
- [OGC Launches New Technical Assistance Project for Judicial Capacity Building in Climate Change Issues](#)
- The Office of the General Counsel has commenced a new technical assistance project designed to aid Asian judiciaries in adjudicating climate change and sustainable development issues. It focuses on customized in-country training programs that specifically target capacity gaps and opportunities identified by the requesting country/ judiciary.

# CONCLUSION

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- Judges, of course, do more than interpret the law. They are critical arbiters of the fairness of the system, help assure reasonable consistency among similarly situated cases, and provide the mechanism through which intransigent law violators can be compelled to comply.
- Creation of an environmental law judicial network for the Malaysian sessions court judges is highly recommended to enhance their involvement in the environmental law scenario and to strengthen their decisions in environmental justice.

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