



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

Day 1 10 JULY 2017		
TIME	ACTIVITY	PRESENTER(S)/CONVENOR
<b>1</b>		
<b>OPENING CEREMONY + INTRODUCTION TO THE COURSE</b>		
8:30 – 9:15	<b>Opening ceremony – ILKAP Theatre</b> <ul style="list-style-type: none"> <li>• Doa Recite</li> <li>• Speeches by representatives of ADB, IUCNAEL, ILKAP, and EIMAS</li> <li>• Signing of Agreements</li> <li>• Group photo</li> </ul>	MC – Muhaimin  ILKAP Speaker ADB Speaker DOE Speaker UKM Speaker
9:15 – 9:30	<b>Short break</b>	
9:30 – 10:30	Introduction of trainers - ELF/EIMAS/ILKAP Introduction of participants  *Program will be conducted at MTCP ** Hanim, Normawati, Norha and Maizatun	Hanim Kamaruddin ELF trainers**
10:30 – 10:45	Introduction to the course: Explanation of: <ul style="list-style-type: none"> <li>• Course purpose and structure/content</li> <li>• Concept of training outcomes</li> </ul>	Hanim Kamaruddin
10.45 – 11.00	<b>Tea Break</b>	
<b>2</b>		
<b>BUILDING ENVIRONMENTAL JUDICIAL CHAMPIONS</b>		
11:00 – 11:40	<ul style="list-style-type: none"> <li>• Video Presentation related to judicial interest in environmental law</li> <li>• Philippine's rules of procedure for envi cases and experience in judicial capacity building</li> </ul>	Hanim Kamaruddin Courtesy of The Right Honourable Mr Justice YAA Tan Sri Richard Malanjum Gregorio Rafael P. Bueta
<b>3</b>		
<b>ENVIRONMENT</b>		
11:40 – 12:20	<ul style="list-style-type: none"> <li>• Drafting exercise on definition of "Environment" .</li> <li>• Participants to be divided into groups of 5 to draft legislative definition of "environment" . (15 mins.)</li> <li>• Each group to write-up their feedback and to discuss ( 15 mins.) definition.</li> </ul>	Maizatun Mustafa ELF trainers
<b>4</b>		
<b>NATIONAL ENVIRONMENTAL ISSUES</b>		
12:20 – 1.00	<ul style="list-style-type: none"> <li>• Participants divided into 5 groups (to identify up to 5 national environmental issues. (10 mins.)</li> <li>• Each group to select 1 or 2 persons for a 5 minute report back to the class (20 mins)</li> </ul>	Hanim Kamaruddin ELF trainers to assist small groups
1.00-2.00	<b>Lunch</b>	
<b>5</b>		
<b>INTRODUCTION TO ENVIRONMENTAL LAW and THE</b>		

JUDICIARY : GOALS, OBJECTS & PRINCIPLES		
2.00-2.35	<ul style="list-style-type: none"> <li>• Presentation: The Judiciary and Environmental Justice</li> <li>• Goals: Developing roles for the judiciary (10 mins.)</li> <li>• Drafting exercise on definition of 'the role of judiciary in environmental cases'</li> <li>• Participants to be divided into groups of 5 to draft role of judiciary (15 mins.)</li> <li>• Each group to write-up their feedback and to discuss (10 mins.)</li> </ul>	Normawati Norha ELF trainers
2:35– 3:30	<ul style="list-style-type: none"> <li>• Federal Constitution - Federal and State jurisdiction (10 mins.)</li> <li>• Participants to divide into 5 groups for a structured discussion to identify relevant national laws and regulations in protecting the environment and relating these to actual cases heard at the courts.(20 mins.)</li> <li>• Overview of relevant national measures <ul style="list-style-type: none"> <li>○ Land (including indigenous land rights)</li> <li>○ Water</li> <li>○ Forests</li> <li>○ Minerals and petroleum</li> <li>○ Fisheries</li> </ul> </li> <li>• Feedback from participants (25 mins.)</li> </ul>	Normawati ELF trainers
3.35-3.45	<b>Tea Break</b>	
6 ACCESS TO JUSTICE		
3.45-4.00	<ul style="list-style-type: none"> <li>• Presentation : Access to justice and public participation in environmental cases</li> </ul>	Norha
4:00 – 4.15	<ul style="list-style-type: none"> <li>• Participants to divide into 5 groups for discussion with trainers re relevance of presentation to access to justice and public participation Feedback from participants</li> </ul>	Norha ELF trainers
4:15 – 4:45	<ul style="list-style-type: none"> <li>• Industrial emissions, application of laws and judicial remedies</li> </ul>	Maizatun
4:45 - 5:00	<ul style="list-style-type: none"> <li>• Case-study: examination of contested development proposal involving a judicial decision: Bakun Dam (Malaysia) (20mins + 10 mins Q &amp;As)</li> </ul>	Hanim Kamaruddin

Day 2 11 JULY 2017		
TIME	ACTIVITY	PRESENTER
7 ENVIRONMENTAL PROTECTION LAW		
9:00 – 9:25	<ul style="list-style-type: none"> <li>• Presentation on environmental protection law</li> <li>• General v specific environment protection laws</li> <li>• National – v sub-national laws - International</li> <li>• Scope of environmental protection law</li> <li>• Institutional arrangements</li> <li>• Tools: standards, approvals, licences, orders</li> <li>• Enforcement mechanisms</li> </ul>	Norha
9:25 – 9:40	<ul style="list-style-type: none"> <li>• Participants to divide into groups for discussion with trainers re relevance of presentation to making judicial decisions</li> </ul>	ELF trainers
9:40 – 10:30	<ul style="list-style-type: none"> <li>• <b>Air pollution</b> tutorial exercise (participants to be allocated to 5 groups of six with ELF trainer to lead tutorial discussion.</li> <li><b>Feed-back session:</b></li> <li>• participant facilitators to reflect on their efforts</li> </ul>	Maizatun to introduce ELF trainers

	<ul style="list-style-type: none"> <li>class to give constructive feed-back to facilitators</li> <li>feed-back by trainer to class and facilitators</li> <li>participants to reflect on feed-back session</li> </ul>	
10.30 – 11.00	<b>Tea Break</b>	
11.00-11.25	<p>Role play (part 1): MEDIATION</p> <ul style="list-style-type: none"> <li>Describe nature of role-play exercise and allocate participants to small groups – 5 - 6 persons + identify two participants as co-mediators (10 mins.)</li> <li>Small groups to work on their contribution to the role-play (with trainers in each group)</li> </ul>	Hanim Kamaruddin ELF trainers
<b>8</b>	<b>JUDICIAL TRAINING I</b>	
11.25-12.45	Environmental law in Court : Legal Practitioner perspective	Tuan Ahmad Ishrakh Bin Saad Advocate and Solicitor Tetuan Ishrakh Saad & Co.
12.45-2.00	<b>Lunch</b>	
2.00-3.10	Investigation : Relevant Laws (1)	Tuan Budiman Lutfi Bin Mohamed Deputy Public Prosecutor Attorney General Chamber
3.10 – 3. 30	<b>Tea Break</b>	
3.30-5.00	Investigation : Relevant Laws (1)	Tuan Budiman Lutfi Bin Mohamed Deputy Public Prosecutor Attorney General Chamber

Day 3 12 JULY 2017		
TIME	ACTIVITY	PRESENTER
<b>9 CONTROL, PREVENTION, MANAGEMENT AND ENFORCEMENT ASPECTS</b>		
9:00-9.45 am	<ul style="list-style-type: none"> <li>DOE Enforcement Approaches : CC vs SR</li> <li>Environmental Impact Assessment (EIA)</li> </ul>	Dato’ Dr. Ahmad Kamarulnajib Bin Che Ibrahim
9.45-10.30 am	<ul style="list-style-type: none"> <li>Enforcement and Water Pollution Prevention in Malaysia</li> <li>Q &amp; A</li> </ul>	Puan Siti Zaleha Ibrahim
10.30-11.00 am	Tea Break	
11.00-11.45 am	<ul style="list-style-type: none"> <li>Enforcement and Waste Management in Malaysia</li> <li>Q &amp; A</li> </ul>	Puan Siti Zaleha Ibrahim
11.45-12.30 pm	<ul style="list-style-type: none"> <li>Enforcement and Air Pollution Prevention in Malaysia</li> <li>Q &amp; A</li> </ul>	Puan Mashitah Darus
12.30-2.15	Lunch	
<b>10 FIELD TRIP</b>		
2.15 - 5.00	Site Visit – DENSO	DOE
	<p>De-briefing session :</p> <ul style="list-style-type: none"> <li>discussion of procedural, assessment, legal issues arising (e.g., enforcement options, citizens’ or indigenous peoples’ rights)</li> <li>discussion of field trip as a decision making process, including rationale, logistical considerations, safety issues, and function of the de-brief</li> </ul>	DOE ELF trainers

5.00-9.00pm	<ul style="list-style-type: none"> <li>Dinner</li> </ul>	
<b>Day 4 13 JULY 2017</b>		
<b>TIME</b>	<b>ACTIVITY</b>	<b>PRESENTER</b>
<b>11 JUDICIAL TRAINING II</b>		
9:00 – 10:30	Development of Environmental Law : Court perspective	YA Datin Hajah Azizah Binti Haji Nawawi High Court Judge Kuala Lumpur
10.30 – 11.00	Tea Break	
<b>12 ALTERNATIVE APPROACHES TO ENVIRONMENTAL DISPUTE RESOLUTION - ROLE-PLAY EXERCISE</b>		
11.00 – 12.45	<p>Participants to engage in various roles, as previously allocated, for purposes of conducting a simulated mediation exercise</p> <p>Class discussion:</p> <ul style="list-style-type: none"> <li>feedback on the process, including some reflections and critique of the value of mediation to resolve environmental disputes (20 mins)</li> <li>Short class discussion: participants to reflect on whether and how they might use different perspectives to make a judicial decision. (10 mins)</li> </ul>	Normawati Hanim ELF Trainers
12.45-2.00	<b>LUNCH</b>	
<b>13 THE JUDGE'S INSPIRING COMMITMENT</b>		
2:00 – 3:30	<ul style="list-style-type: none"> <li>Presentation: The role of the judiciary in environmental dispute resolution</li> <li>Full class Q &amp; A with presenter : The Right Honourable Tan Sri Datuk Seri Panglima Richard Malanjum</li> </ul>	Introduction by Hanim The Right Honourable YAA Tan Sri Datuk Seri Panglima Richard Malanjum.
3.30 – 4:00	<b>Tea Break</b>	
<b>14 CLOSING SESSION</b>		
4.00 – 4.30	Creation of Environmental Law Judicial Network	Norha
4.30-4.45	Class discussion of course outcomes	ELF trainers
4.45-4.55	Completion of Course Evaluation forms by participants	Maizatun
4.55 - 5.30	<p>Closing Ceremony:</p> <ul style="list-style-type: none"> <li>presentation of Course Certificates</li> <li>closing speeches</li> </ul>	Hanim Kamaruddin ELF trainers representatives The Right Honourable Tan Sri Datuk Seri Panglima Richard Malanjum.