

WORKSHOP ON ENVIRONMENTAL ADJUDICATION
FOR THE JUDICIARY OF BHUTAN

18-20 July 2018, Thimphu

REMARKS BY ADB

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H.E Lyonpo Tshering Wangchuk, Chief Justice of the Supreme Court of Bhutan; honourable judges of the Royal Court of Justice and other courts - Bhutan; the Attorney General of Bhutan; our partners; ladies and gentlemen: a pleasant evening to you all.

On behalf of the Asian Development Bank, I am pleased to welcome you to the Workshop on Environmental Adjudication for the Judiciary of Bhutan. It is our pleasure to partner with the Supreme Court, UN Environment, US EPA and other organizations for this important event.

Today I would like to briefly talk about ADB's work and partnership with Bhutan; the environmental challenges the country faces; and why strengthening institutions such as the judiciary is key for the Bank's work in the country.

Bhutan has achieved exceptional economic growth and milestones in social development over the past 3 decades. Since 1982, ADB has been Bhutan's partner in this journey through various programs. ADB has committed loans totaling \$495.67 million, grants of \$209.96 million, and technical assistance of \$52.75 million – making us Bhutan's largest multilateral development partner. ADB has helped expand economic opportunities in Bhutan and supported rural electrification, hydropower development, road improvements, urban infrastructure, social development, and development of the finance sector.

Bhutan's national development plans have been guided by the country's concept of balanced sustainable development. Bhutan has one of the highest rates of forest conservation in the world – 81% of the country is considered forest land and 71% as tree-crowned forest; 51% of its total land area is under protected management systems. Bhutan emits negligible amounts of greenhouse gases, and its forest sequesters more carbon dioxide than it emits. However, industrial activities have been increasing and are contributing to more air, land, and water pollution. The number of vehicles in the country grew by about 250% during 2000–2012, making them the biggest contributors to greenhouse gas emissions. Other emerging environmental issues include: water scarcity, food insecurity; urbanization; increased health problems; waste management; and disaster risk. Climate change is also increasing risks and challenges – aside from dangers brought about by extreme weather events and disasters, impacts of climate change on the Himalayas can affect hydropower generation and its vital contribution to Bhutan's economy.

As a response and to align with the Bhutanese government's objectives, ADB has made environmental sustainability a strategic pillar of our country partnership strategy. ADB will support Bhutan's efforts to increase hydropower generation, enhance renewable energy development, and promote energy efficiency. ADB assistance will help Bhutan better adapt to climate change and variability through integrated water resources management and environmentally sustainable urban development. Support for eco-friendly urban transport will help reduce reliance on fossil fuel imports. Consideration of environmental safeguards, disaster risks, and climate change will also be mainstreamed in the design and implementation of future operations.

Equally important is ADB's work with the judiciaries of Asia on environment, climate change and sustainable development. Judges play a key role by adjudicating disputes that establish precedents on environmental issues; promulgating rules on environmental litigation; and establishing green benches. Your decisions carry economic consequences that affect policymaking, development priorities and the allocation of billions of dollars of investment capital across the region.

One initiative of our legal department, the Office of the General Counsel, is the establishment of the Asian Judges Network on Environment (or AJNE). Since 2013, AJNE has been an informal network of senior judges from 23 countries that serves as a platform for judicial capacity strengthening and multilateral exchanges on environmental adjudication. Through this judicial network, annual chief justices and judicial roundtables on environmental justice were held in various Asian countries. If you will recall, Bhutan graciously hosted the Second SAARC Judicial Roundtable on Environmental Justice in August 2013.

Some of the notable achievements of ADB's work through AJNE include:

- Cambodia, Indonesia, Myanmar, Thailand, and Viet Nam established national judicial working groups on environmental law to create formal forums to collaborate and build on shared knowledge.
- Bhutan, Malaysia, Pakistan, and the Philippines have established green bench systems, in which judges are trained and certified with a level of expertise in environmental litigation.
- Pakistan has developed a specific environmental law curriculum for its judicial academies.
- Countries around Asia have rendered landmark decisions on environment and climate change that are being cited in other parts of the world.

AJNE has been recognized as a role model for judiciaries around the world; a "best practice" for judicial engagement, cooperation, and collaboration for the environment. Its success is due to the dedication and commitment of Asia's judiciaries – that include our honorable judges here today – and is proof that our region can also lead the world on environmental law and adjudication.

ADB is now focusing on customized in-country training programs that specifically target capacity gaps and opportunities identified by the requesting country/judiciary. This workshop is one such national program.

ADB is proud to be your partner in supporting work on the environment and climate change. We look forward to continue working with the Bhutanese judiciary and our development partners.

Tashi Delek - I wish you all a productive and fruitful workshop.

Kadrin Chhe la - thank you very much.