



# Developing Environmental Law Champions

Strengthening the Capacity For Environmental and Climate Change Laws in Asia and the Pacific

ADB

# Developing a Cohort of Expert Trainers on Environmental Law

29 - 30 October 2018, Nay Pyi Taw, Myanmar

Asia-Pacific Judicial Conference on Environmental and Climate Change Adjudication

*Professor Camena Guneratne, The Open University of Sri Lanka*

*Dr. Hanim Kamaruddin, National University of Malaysia*

*Christina Pak, Senior Counsel, Asian Development Bank*



# Developing Environmental Law Champions

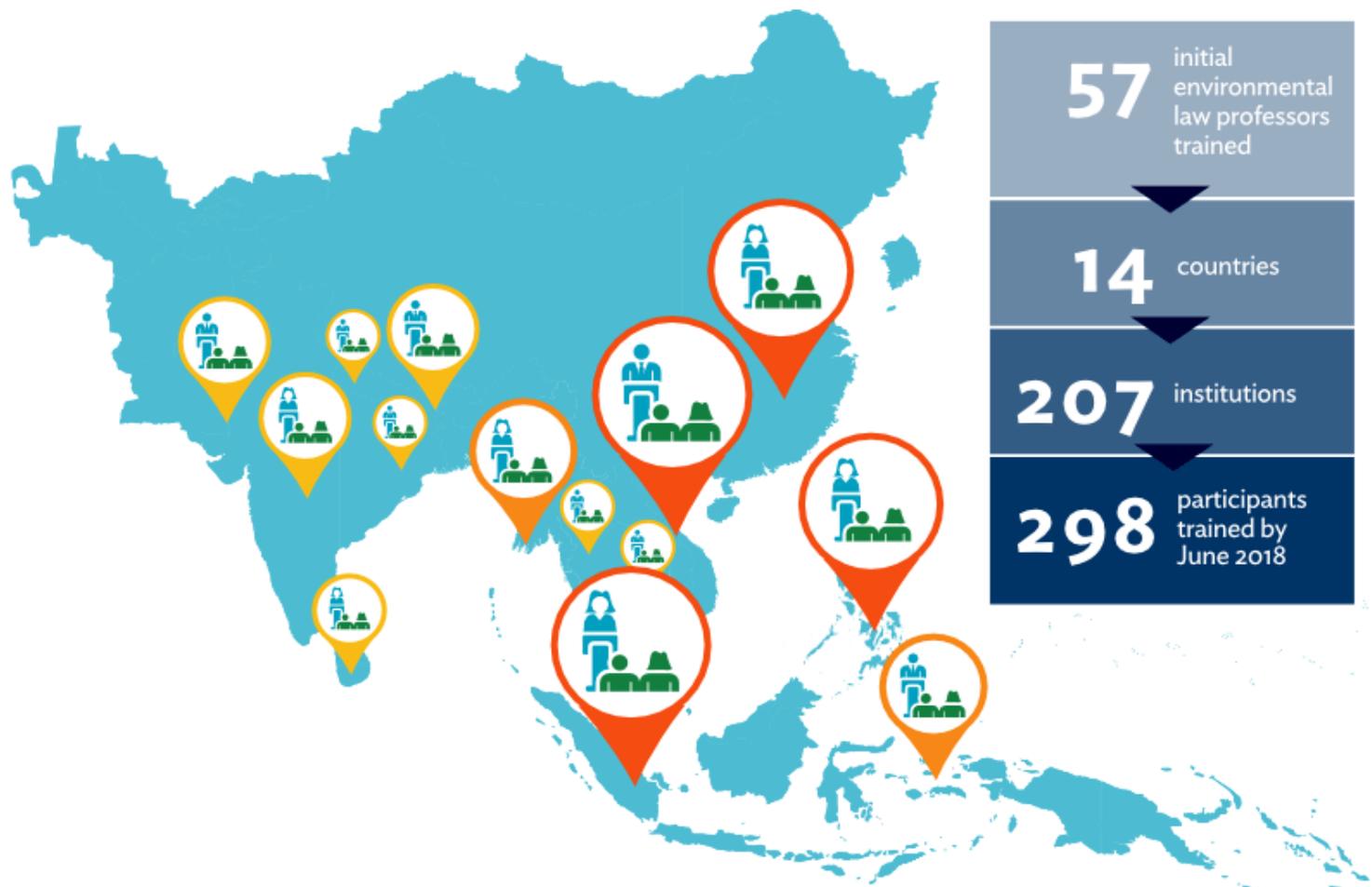
Sustainability outcomes are being impeded by the lack of qualified experts in environmental and climate change laws to work with and in government, judiciary, private sector, civil service organizations and other places

Major challenge in meeting the increased demand is the lack of capacity and support in legal education

ADB's technical assistance aims to develop a cohort of experts in environmental and climate change laws through:

1. In-country train-the-trainers programs – *a mix of innovative teaching methodologies, substance & inspiration*
2. In-country and regional networks
3. Local and regional knowledge resources ([www.teachenvirolaw.asia](http://www.teachenvirolaw.asia))





# Myanmar Train-the-Trainers Program

*33 participants across 20 institutions  
Hosted by the Yangon University  
12 – 16 March 2018*



*Ohnmar Aye, Deputy Director, International Relations and Research Department, Supreme Court of the Union of Myanmar*





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## Regional Network: Database of Environmental Law Champions

Search and browse our regional network for environmental law experts by specialization and country.

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NAME	ORGANIZATION	COUNTRY
<a href="#">Affolder, Natasha</a>	Peter A. Allard School of Law, University of British Columbia	Canada
<a href="#">Afriansyah, Arie</a>	University of Indonesia	Indonesia
<a href="#">Ai, Xiao</a>	Hunan Normal University	China, People's Republic of
<a href="#">Alem, Shawkat</a>	Macquarie University	Australia
<a href="#">Alfelor-Moraleda, Remelisa</a>	University of Northeastern Philippines	Philippines
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<a href="#">Aluthge, Dilantha</a>	General Sir John Kotelawala Defence University - Rathmalana	Sri Lanka
<a href="#">Aminudin, Cecep</a>	Institut Teknologi Bandung	Indonesia
<a href="#">Anh, Trần Phương</a>	Hanoi University of Law	Viet Nam
<a href="#">Anh Đức, Nguyễn</a>	School of Law, Vietnam National University	Viet Nam
<a href="#">Arulanatham, Sarveswaran</a>	Legal Research Unit, University of Colombo	Sri Lanka
<a href="#">Aye, Thengyi</a>	Palestine University	Myanmar
<a href="#">Baird, Matthew</a>	Vermont Law School	Australia

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# Creating Valuable Linkage between the Judiciary and Academia



# Malaysia's *Train-the-Judges Program*



# Malaysia's Train-the-Judges Program

- Establishment of Environmental Courts in Malaysia in 2012
- Importance of strengthening the awareness of judges' roles in environmental protection
- Training program initiated
- *Aim to develop and enhance the capacity of the Malaysian judiciary in making better informed decisions in environmental law cases*
- To strengthen judicial capacity – collaboration with multi stakeholders to organize Train-the-Judges 2017 in Malaysia
- ADB, law professors from public universities, judiciary, officers from the Attorney General Chambers and Department of Environment



# Train-the-Judges Program

- A comprehensive manual detailing method, training content and materials
- Varied topics but selective based on current problems and issues in Malaysia
- Training included an excursion to a nearby factory - to see first hand self-guided approach to compliance in mitigating pollution by an industry
- Mediation
- Reflective, student centered approach, teacher based approach also research
- Traditional lectures, seminars, tutorial, small group activities and flipped teaching
- Course Evaluation Form



# Collaboration between Academics and Judiciary in Sri Lanka

- In the 1990s, on-going training was conducted for judicial officers including Magistrates, District and High Court judges
- This was extremely successful and the training and interaction between members of the judiciary and university academics was facilitated by the Judges Training Institute of Sri Lanka
- Such training has diminished to some extent in recent years but it is important to revive it in the light of current environmental and developmental challenges



# What's possible between the Judiciary and Academia?

- Continuous judicial training programs tailor-made to local environmental issues and concerns
- Wider ranging topics to include global concerns – climate change and transboundary issues
- Provide multi-disciplinary programs in environment including science, technology, sociology and economics
- Can be expanded to sub-regional or regional context
- Comparative perspectives and developments in the region & exchange of expertise
- In short, ***improving judicial capacity, expanding environmental jurisprudence***, and leading environmental decision makers in the development of regulatory systems founded on credible rule of law, and promoting environmental justice in the overall environmental management





*“You cannot get through a single day without having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make.”*

*- Dame Dr. Jane Morris Goodall, DBE*

