



Environmental Law in Developing Countries: Challenges and Prospects

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Timetable and Course Events

Winter Intensive teaching in-country 11-16 July 2011 | Course materials will be made available to students by 1 June 2011 | Final assessments will be due on 1 October 2011

Assessment

Either 1 essay 8,000-10,000 words (100%) OR 2 essays 4,000-5,000 words (50% each)

The authors of the best essays will be invited to submit them for a special issue of the Journal of South Pacific Law to be published in late 2011, to be guest edited by Dr Rose, Dr Syarif and Associate Professor Paterson.

Cross institutional study

USP School of Law welcomes enquiries and enrolments from students studying at other universities for degrees such as Master of Laws, Master of Environmental Laws, and Master of International Law. The rules of most universities allow their students, subject to prior approval and upon the condition that no comparable course is offered by that university, to study a course at another institution to be counted towards their degree.

This course is an excellent cross-institutional adjunct for postgraduate students studying in Australia, New Zealand and elsewhere.

Course fee for non USP students AUD\$2,730 (Including field trips)

Applicable degrees

Master of Laws (LLM)
Master of Environmental Law (MEL)
Graduate Diploma in Law (Grad Dip Law)
Subject to approval from the Head of the USP School of Law candidates in other Faculties at the University of the South Pacific may be able to enroll in this unit.

For general course enquiries

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Other Contacts:



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Environmental Law in Developing Countries: Challenges and Prospects

11-16 July 2011, USP Emalus Campus

Port Vila, Vanuatu

The challenges faced by developing countries in seeking to balance priorities of development and environmental protection are substantially different from those confronting the world's industrialised nations. In many contexts issues of poverty, wealth inequality and lack of technical and other capacity frustrate objectives of effective environmental governance. But there are also many highly innovative and effective governance responses to the sustainability challenge being applied in developing countries in different regions of the world.

This intensive postgraduate course addresses both these challenges and responses. Offered by the USP School of Law, it brings together a team of expert environmental law instructors from Indonesia, South Africa and the Pacific, drawing upon examples from these very different regions.

Objectives

- To develop an understanding of the unique legal, policy and governance challenges faced by various developing countries in seeking to achieve sustainable management of their natural resources and environments;
- To foster recognition of the issues facing developing countries in negotiating and implementing international environmental agreements;
- To generate understanding of the different approaches taken to promote regional cooperation for environmental protection in the Pacific Islands, Africa and South East Asia.;
- To build awareness of recent innovative developments in Pacific Island Countries, South Africa and Indonesia in the field of environmental law aimed at overcoming these challenges.

Content

Course topics include:

- Introductions to Pacific island, Indonesian and South African environmental law
- The challenge of sustainability: balancing development and environmental priorities
- From the international to the domestic sphere: developing country perspectives on international environmental treaty negotiation and implementation
- Regionalism in the South: comparing international cooperation for environmental governance in ASEAN, the African Union and the Pacific island region
- Customary institutions, civil society and environmental law in the Pacific, Africa and South East Asia
- Future directions for environmental law in the developing world

Two (2) full day field trip:

1. **Chief Roi Mata's Domain** – Vanuatu's first and only World Heritage Site, declared by UNESCO in 2008 as an outstanding example of a landscape representative of Pacific chiefly systems. The landscape reflects continuing Pacific chiefly systems and respect for customary authority through tabu prohibitions on use of Roi Mata's residence and burial that have been observed for over 400 years and have structured local landscapes and social practices.
2. **Nguna-Pele Marine Park** – in 2008 the Nguna-Pele Marine Park received the United Nations Equator Prize at the World Conservation Congress recognizing and celebrating their outstanding community efforts to reduce poverty through grass-roots activities for the conservation of biodiversity.

Lecturers

The unit will be taught by a team of environmental law experts:

Dr Justin Rose (BA LLB (Hons) (ANU) PhD (MQ)) School of Law, University of the South Pacific. Justin Rose is the coordinator of the Environmental Law Program at the University of the South Pacific where he teaches international environmental law, regional environmental law and comparative environmental law to undergraduates and postgraduates. Justin is an expert on South Pacific

environmental law, having worked and researched in the region in since 1998. Justin's publications include articles and papers in the area of regionalism in environmental law, environmental governance by customary institutions, and trust funds for environmental programs in the Pacific. Justin has previously taught environmental law at the University of Sydney, the University of New England and Macquarie University. Prior to joining academia Justin worked for government and civil society in both Australia and the Pacific islands, including drafting environmental legislation, providing specialist advice to civil society groups, and coordinating the Greenpeace Pacific Forests Campaign.

Associate Professor Alexander Paterson, BSocSci LLB LLM (Environmental Law) Faculty of Law, University of Cape Town. Alexander Paterson, an admitted attorney of the High Court of South Africa, joined the Institute of Marine and Environmental Law in 2004. Currently an associate professor, he teaches environmental law at both undergraduate and postgraduate levels. Prior to joining the Institute he practised as an environmental attorney and environmental consultant. He has also worked in the NGO sector monitoring the progression of environmental legislation through Parliament. He is currently an Executive Council Member of the Association of African Environmental Law Lecturers; member of the IUCN Commission on Environmental Law and IUCN Academy of Environmental Law; Co-Editor of the IUCN Academy of Environmental Law's e-Journal; and Assistant Editor of the South African Journal of Environmental Law and Policy. His areas of interest and research include biodiversity, protected areas and incentive-based regulation. On weekends you will find him up a mountain or surfing in the cold Atlantic Ocean.

Dr Laode Syarif (LLB (Hasanuddin) LLM (QUT) PhD (USyd)) School of Law, Hasanuddin University, Indonesia. Laode Muhamad Syarif has taught environmental law for more than 20 years. Syarif was the principal curriculum designer of the Judicial Code of Conduct and Environmental Law Training for the Supreme Court of Indonesia, helping to train approximately 6000 judges in environmental law issues. His publications include two books and several articles on the issues of atmospheric pollution, climate change, forestry, fisheries, and biodiversity.

Currently on leave from Hasanuddin University, Syarif's current position is the Chief of Security and Justice Governance with the Kemitraan Partnership for Governance Reform where he helped facilitate the US\$4 billion agreement on forest conservation between the Governments of Indonesia and Norway, finalised in 2010.