

ADB Regional Capacity Development Technical Assistance  
 Strengthening Capacity for Environmental Law in the Asia-Pacific:  
 Developing Environmental Law Champions  
 Train-the-Trainers Program  
 23 – 27 March 2015  
 Manila, Philippines

**DETAILED COURSE OUTLINE**

**DAY ONE: Monday March 23<sup>rd</sup>**

<b>Session</b>	<b>Topic</b>	<b>Topic Content</b>	<b>Teaching Methodology</b>
8.30 – 9.00	Opening Ceremony		-
1.	a. Introduction to the Course b. Overview of Environmental Issues	<ul style="list-style-type: none"> <li>• Introductions (trainers, participants)</li> <li>• Purpose of course and course structure/content</li> <li>• Concept of learning outcomes</li> <li>• Teaching methodologies to be demonstrated during the course</li> <li>• Global environmental issues (+ introduction to key web-based resources)</li> <li>• National environmental issues (+ introduction to key resources)</li> </ul>	Re part b: Free form small group discussion
2.	Building Champions in Environmental law	<ul style="list-style-type: none"> <li>• Content to be developed with ADB</li> </ul>	Tba + Reflective Journal
3.	a. Introduction to Environmental law b. Spatial planning and Environmental Impact Assessment (EIA)	Part a: <ul style="list-style-type: none"> <li>• Concept of sustainable development and related legal principles</li> <li>• UN Sustainable Development Goals 2015</li> <li>• Introduction to international environmental</li> </ul>	Part a: Drafting exercise  Part b: Electronic resources

		<p>law and links with national environmental law (more detailed discussion to follow in Session 10)</p> <ul style="list-style-type: none"> <li>• Overview of scope of environmental law and challenges re integration</li> </ul> <p>Part b:</p> <ul style="list-style-type: none"> <li>• Spatial/land-use planning law <ul style="list-style-type: none"> <li>○ History of development</li> <li>○ Planning policy instruments</li> <li>○ Development control mechanisms</li> <li>○ Appeal mechanisms</li> <li>○ Related measures (e.g., coast protection laws)</li> <li>○ Development facilitation laws</li> </ul> </li> <li>• Environmental impact assessment <ul style="list-style-type: none"> <li>○ Scope of EIA processes</li> <li>○ Procedural elements (EIS etc.)</li> <li>○ Public participation</li> <li>○ Substantive mandate</li> <li>○ Judicial oversight of EIA process</li> <li>○ Strategic EIA</li> </ul> </li> </ul>	
4.	Environmental Protection	<ul style="list-style-type: none"> <li>• Pollution (air, water ,land ,marine, noise)</li> <li>• Waste management (including hazardous wastes)</li> <li>• Site contamination</li> <li>• Risk assessment (chemicals, radioactive substances, GMO's etc.)</li> <li>• Integrated environmental management</li> </ul>	Tutorial

**DAY TWO: Tuesday March 24th**

Session	Topic	Topic Content	Teaching Methodology
5.	Natural & Cultural Heritage Protection	<ul style="list-style-type: none"> <li>• Protected areas –including world heritage, RAMSAR, etc.</li> <li>• Endangered and threatened species</li> <li>• Biodiversity protection (including bio-safety measures)</li> <li>• Cultural heritage (built, indigenous, intangible, moveable items)</li> </ul>	Film + Free form full class discussion
6.	Natural Resources Management	<ul style="list-style-type: none"> <li>• Introductory overview of natural resources law</li> <li>• Nature of “dominant” title to natural resources</li> <li>• Mechanisms for allocation of rights to natural resources (permits, licences, title, etc.)</li> <li>• Integrated natural resources management</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> </ul>	Structured discussion (lecture format) + Role play (Part 1) - allocation of roles and initial preparation
7.	Climate Change & Clean Energy	<ul style="list-style-type: none"> <li>• Introduction to climate change science (causes, impacts, etc.)</li> <li>• International measures (UNFCCC/Kyoto</li> </ul>	Brainstorming exercise (small groups)

		<p>Protocol/Copenhagen Accord)</p> <ul style="list-style-type: none"> <li>• Mitigation v Adaptation approaches</li> <li>• Mitigation measures (ETS, carbon pricing, emissions standards, capture &amp; storage)</li> <li>• Clean energy measures*renewable energy targets etc.)</li> </ul>	
8.	Environmental Dispute Resolution & the Courts	<ul style="list-style-type: none"> <li>• Environmental litigation - a comparative perspective <ul style="list-style-type: none"> <li>○ Criminal law (compliance and enforcement)</li> <li>○ Administrative law (public interest litigation – judicial review, civil enforcement)</li> <li>○ Civil law (liability for environmental harm/ class action procedure)</li> </ul> </li> <li>• Appeal processes (administrative and legal)</li> <li>• Specialist environmental courts</li> <li>• Role of the judiciary</li> </ul>	Guest lecturer (Justice Antonio Herman Benjamin) + Electronic Resources

**DAY THREE: Wednesday March 25<sup>th</sup>**

<b>Session</b>	<b>Topic</b>	<b>Topic Content</b>	<b>Teaching Methodology</b>
9.	Relationship Between Environmental Law & Other Disciplines	<ul style="list-style-type: none"> <li>• Ethics and philosophy (Earth Charter/ deep ecology, wild law etc.)</li> <li>• Science/ecology (concepts of proof/risk assessment/ ecosystem resilience, etc.)</li> <li>• Regulatory theory (command and control/ smart regulation/ voluntary measures (EMS, ISO 14000 etc.)</li> <li>• Environmental politics (interaction between governments, corporate sector and civil society)</li> <li>• Economics (economic instruments – taxes, markets; payment for ecosystem services valuation etc.)</li> </ul>	Brainstorming exercise (small groups) + Constructive feed-back
10.	International Environmental Law	<ul style="list-style-type: none"> <li>• International law and its relationship with IEL</li> <li>• Sources and key concepts of IEL</li> <li>• Distinction between hard and soft law</li> <li>• Key international institutions</li> <li>• Summary of major MEA's</li> <li>• Regional measures</li> </ul>	Guided research exercise + Mooting (explanation)
11.	Rights in Environmental Law	<ul style="list-style-type: none"> <li>• Human rights and the environment in international law</li> <li>• Substantive rights in national law (comparative study of constitutional/ legislative rights; indigenous rights; equity and environmental</li> </ul>	Case studies + comparative law

		justice) <ul style="list-style-type: none"> <li>• Procedural rights (Arhus Convention – access to information, public participation, access to justice)</li> </ul>	
12.	Alternative Dispute Resolution	<ul style="list-style-type: none"> <li>• Overview of alternative dispute resolution (negotiation, mediation and arbitration)</li> <li>• Environmental dispute resolution (mediation) role-play exercise, as distributed to participants in Session 6</li> </ul>	Role play (Part 2) – conduct of the role play

**DAY FOUR: Thursday March 26<sup>th</sup>**

<b>Session</b>	<b>Topic</b>	<b>Topic Content</b>	<b>Teaching Methodology</b>
13.	Field trip	<ul style="list-style-type: none"> <li>• Undertake a field trip where issues re industrial pollution, biodiversity loss or natural resource management (e.g., water scarcity, land degradation) can be explored.</li> </ul>	Field Trip
14.	Field trip	As above	Filed Trip + debrief
15.	Designing an Environmental Law Course - Theory and Practice	<ul style="list-style-type: none"> <li>• Learning theories</li> <li>• Review of teaching methodologies demonstrated : use of reflective journal to evaluate classes; tutorials; role-plays; student presentations; group work; field trip etc</li> <li>• Teaching resources:               <ul style="list-style-type: none"> <li>○ hard-copy v electronic materials</li> <li>○ use of technology (projectors, computers, video-conferencing)</li> </ul> </li> <li>• Virtual classroom/ distance (online) learning.</li> </ul>	Structured discussion (seminar format)
16.	Assessment Options	<ul style="list-style-type: none"> <li>• The role of assessment</li> <li>• Summative v formative types of assessment</li> <li>• Different assessment techniques</li> <li>• Provision of written feed-back</li> </ul>	Written feed-back on assignments + Structured discussion (small groups)

**DAY FIVE: Friday March 27<sup>th</sup>**

<b>Session</b>	<b>Topic</b>	<b>Topic Content</b>	<b>Teaching Methodology</b>
17.	Research Skills & Supervision	<ul style="list-style-type: none"> <li>• Tools and techniques for developing student research skills</li> <li>• Supervision of postgraduate research</li> <li>• Demonstration of online resources related specifically to environmental law</li> </ul>	Electronic media
18.	Regional Environmental Law - ASEAN and Other	<ul style="list-style-type: none"> <li>• Overview of regional environmental law in the ASEAN Region</li> <li>• Dealing with trans-boundary issues via regional arrangements : case-study of the Mekong Basin</li> <li>• Comparison of ASEAN law with other regional systems (SPREP, Mediterranean, etc.),</li> </ul>	Case-study + comparative law approach
19.	Delivering the Training the Teachers (TTT) Course	<ul style="list-style-type: none"> <li>• Identification of trainers</li> <li>• Selection of TTT1 participants</li> <li>• Timetable for delivery of TTT1 courses</li> <li>• Funding of the courses</li> <li>• Support available to trainers</li> <li>• Role of the Academy in support for trainers and delivery of the TTT1 courses</li> </ul>	Free form discussion (lecture format)
20.	Review of Course + Closing Ceremony	<ul style="list-style-type: none"> <li>• Class discussion of course outcomes</li> <li>• Administration of course Evaluations</li> <li>• Closing ceremony</li> </ul>	Free form discussion (seminar format)