



**IUCN Academy of  
Environmental Law**

**5th WORLDWIDE COLLOQUIUM  
OF THE IUCN ACADEMY OF  
ENVIRONMENTAL LAW**

**Rio+15: A Legal Critique of Ecologically  
Sustainable Development**

**Rio de Janeiro/Paraty, Brazil - May 31 - June 5, 2007**

**PROGRAM**

**DRAFT 8**

***Please note that panel sessions may be  
adjusted and topics may be added***

**Please note:**

**Events on May 31 take place in Rio de Janeiro**

**On June 1, buses will depart from Hotel Gloria in Rio de Janeiro for Paraty from 7.30 am.**

**The address is: Rua do Russel 632, Rio De Janeiro Telephone: + + 55 21 2555 7272**

***Please take a taxi to the Hotel Gloria if you are not staying there.***

**On June 5, buses will depart for Rio de Janeiro and Sao Paulo from the Colloquium venue shortly after the Colloquium ends. Please advise Ms Kelen Meregali which bus you would like to take. Inquiries on transport and accommodation should be directed to**

**[kelen.meregali@gmail.com](mailto:kelen.meregali@gmail.com)**

**For program updates see [www.iucnael.org](http://www.iucnael.org) and [www.planetaverde.org](http://www.planetaverde.org)**

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## **Thursday, May 31**

09:00 Collegium Meeting for representatives of IUCN Academy Member Institutions

12:00 Lunch

14:30 – 16.00 Governing Council Meeting

15.00 - 16.30 Tour of the Botanic Gardens, Rio de Janeiro for all participants: meet at the administration building of the Botanic Gardens

17:00 Opening Ceremony: including representatives of the IUCN Environmental Law Programme, the United Nations Environment Programme, the Brazilian government, Universities and the Rio de Janeiro Botanic Gardens

18:00 Opening Reception

**Venue for the whole day: Botanic Gardens, Rio de Janeiro Address: Rua Jardim Botânico, 920 Botanic Gardens: Telephone 3874-1808 or 3874-1214**

## Friday, June 1

7:30 Departure to Paraty (four-hour bus trip)

12:30 Lunch at Paraty at participants' own expense: **Venue to be advised**

14:00 - 16:30 City Tour of Paraty, beginning from the restaurant

13:00 - 17:45 *In addition, there will be a UNEP/IUCN Academy Review Meeting on Compliance and Enforcement Curriculum Project for Colloquium participants involved in that initiative:*

**Venue: Pousada de Marquesa**

18:00 Academic Opening

18:30 First IUCN Academy Distinguished Lecture for 2007:  
**Nicholas Robinson** (USA)  
Environmental Law 15 Years after Rio: A Critical Appraisal

**Venue: Museum of Sacred Art. Paraty**  
(Museu de Arte Sacra de Paraty . Largo de Santa Rita , s/ nº)

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## Saturday, June 2

08:30 - 10:30 **Plenary Session I** - The concept of ecologically sustainable development: ethical, ecological, social, cultural, economic, and legal dimensions

**Venue: Museum of Sacred Art. Paraty**  
(Museu de Arte Sacra de Paraty . Largo de Santa Rita , s/ nº)

1.	<b>John Boyd</b> (The Philippines)	Sustainable Development Highlights: from Gro Harlem Brundtland in 1987 to the World Bank in 2007
2.	<b>Werner Scholtz</b> (South Africa)	Ecological Sustainability and Equity
3.	<b>José Juste</b> (Spain)	The Implications of the Principle of Sustainable Development in International Environmental Law
4.	<b>Charles Okidi</b> (Kenya)	Progress in Capacity-Building in Environmental Law in African Universities
5.	<b>Adrián de Garay Sánchez &amp; Miriam Alfie Cohen</b> (Mexico)	A New Environmental Policy: Risk and the Precautionary Principle

**Signing ceremony for 6<sup>th</sup> IUCN Academy of Environmental Law Colloquium in Mexico City 2008**

10:30 Morning Tea

11:00 - 12.30 Three concurrent panels

**Panel I** - Biodiversity

**Venue:**

<b>6. Felicity Heffernan</b> a. (New Zealand)	International Protection of Endangered Wildlife to ensure their survival.
<b>7. Colin Crawford</b> a. (USA)	Brazil's Conservation Units Law in Comparative Context
<b>8. Amber Prasad Pant</b>	Role of Local and Indigenous Communities in the Conservation of Biodiversity and Traditional Knowledge in Nepal

**Panel II** - Water & Sanitation

**Venue:**

<b>9. Yves Le Bouthillier</b> (Canada)	The Human Right to Water
<b>10. Koh Kheng Lian</b> (Singapore)	Protection of the Quality and Supply of Freshwater Resources - Integrated Approaches to Management of Water Resources and the Singapore Model
<b>11. Flavia Loures and Joseph Dellapenna</b> (Brazil and USA)	A Critical Analysis of the International Law Commission's Draft Articles on the Law of Transboundary Aquifers and Aquifer Systems in light of the Rio Declaration and Agenda 21
<b>12. Joaquim Shiraishi Neto</b> (Brazil)	The Water Resources Act: "New" Forms of Privatization of Water
<b>13. Jonathan Verschuuren</b> (The Netherlands)	Legal Pluralism, Co-operative Governance, and International Law. The Case of Transboundary Wetlands under the Ramsar Convention: Keep the Lawyers out!
<b>14. Owen McIntyre</b> (Ireland)	Sustainable Development and the Utilisation and Environmental Protection of Shared International Freshwater Resources – The Role of Equity

**Panel III** - Role of the Judiciary (A)

**Venue:**

<b>15. Antonio Herman Benjamin</b> (Brazil)	Ecologically Sustainable Development and the role of the judiciary
<b>16. Peter Biscoe</b> (Australia)	Ecologically Sustainable Development: Legislation and cases in New South Wales
<b>17. Robert Kibugi</b> (Kenya)	Enhanced Access to Environmental Justice in Kenya: Assessing the Role of Judicial Institutions
<b>18. Lal Kurukulasuriya</b> (Sri Lanka)	Role of the Judiciary in Promoting Environmental Protection and Sustainable Development through the Rule of Law
<b>19. Rafael B. González</b> (Costa Rica)	Problems for Sustainable Justice in environmental cases in Costa Rica

12:30 Lunch

14:00 -16. 00 Two concurrent panels

**Panel IV** - Role of the Judiciary (B)

**Venue:**

<b>20. Fernanda Cavedon &amp; Ricardo Vieira</b> (Brazil)	Environmental justice as a new perspective to the environmental law fifteen years after Rio: contributions to a law of sustainability
<b>21. Imran Akram</b> (Pakistan)	Environment and the Role of Judiciary: Problems of Developing Economies
<b>22. Louis Kotze</b> (South Africa)	Judicial Intervention in Constitutional Environmental Governance-How is South Africa Doing?
<b>23. Muhammed Tawfiq Ladan</b>	A Critical Appraisal of Judicial Attitudes Towards Environmental

(Nigeria)	Litigation And Access to Environmental Justice In Nigeria
<b>24. Consuelo Yoshida</b> (Brazil)	The contribution of judges to the effectiveness of environmental protection under Brazilian Law

**Panel V** – Compliance with and Enforcement of Ecologically Sustainable Development Law

**Venue:**

<b>25. Karen Morrow</b> (United Kingdom)	The Public, the Courts and Participation in Environmental Decision-making in the UK
<b>26. Irene Lye Lin Heng</b> (Singapore)	Public Participation in Ecologically Sustainable Development in South-East Asia
<b>27. José Rubens Morato Leite &amp; Délton Winter de Carvalho</b> (Brazil)	Brazilian Jurisprudence in a Risk Society: a New Approach?
<b>28. Abdul Haseeb Ansari</b> (Malaysia)	The Malaysian Perspective on Environmental Crimes, Punishment and their Effects
<b>29. Loretta Feris</b> South Africa	Constitutional Environmental Rights: An Under-Utilised Resource

16:00 - 18:30 **Meeting on the Development of the Academy's Research Program and discussion of April 19-21 Academy Research Workshop Report (see [www.iucnael.org](http://www.iucnael.org))- all participants are welcome to attend.**

18:30 Adjourn

## Sunday, June 3

8:00 **Briefing on Paraty Bay Field Trip**

8:30 - 16:00 **Paraty Bay Field trip**

## Monday, June 4

8:30 -10.30 **Plenary Session II** Energy & Climate Change (A)

**Venue: Museum of Sacred Art. Paraty**  
(Museu de Arte Sacra de Paraty . Largo de Santa Rita , s/ nº)

<b>31. Rowena Cantley-Smith &amp; Kurt Deketelaere</b> (Australia & Belgium)	Demanding Less To Save More: Reducing Greenhouse Gas Emissions By Changing Energy Supply And Use
<b>32. Rob Fowler</b> (Australia)	Emissions reduction legislation: A global survey
<b>33. Andrew Waite</b> (United Kingdom)	The Climate Change Bill in the United Kingdom
<b>34. Willemien du Plessis</b> (South Africa)	Environmental regulation of ecologically sustainable cross-border gas transfer: Challenges in Southern Africa
<b>35. Yanti Fristikawati</b> (Indonesia)	The use of nuclear energy in Indonesia
<b>36. Melissa Powers</b> (USA)	Beyond Cap and Trade: Embracing Technology-Based Standards as a Way to Develop an Effective, Efficient, Equitable, and Enforceable Climate Change Law

10:30 Morning Tea

**Venue: Museum of Sacred Art. Paraty**

<b>37. David R. Hodas</b> (USA)	Climate Change and Sustainable Energy
<b>38. Emmanuel Kasimbazi</b> (Uganda)	Legal Approaches to Implementing the Kyoto Protocol: An assessment of critical issues and challenges to combating climate change in Uganda
<b>39. Solange Teles da Silva &amp; Carolina Dutra</b> (Brazil)	The limits and the potentialities of biofuels as an alternative for sustainable development: the Change Climate Convention and Biological Diversity Convention
<b>40. Karen Bubna-Litic</b> (Australia)	A Critique of Ecologically Sustainable Development: case study of Australia's legal responses to climate change since Rio
<b>41. Javier de Cendra de Barragán</b> (The Netherlands)	Keeping distributional impacts low while making the transition to a low carbon economy in EC Climate Change policy: What role for legal principles?

12:30 Lunch

14:00 - 16:00 Two concurrent panels

**Panel VI – Forests**

**Venue:**

<b>42. Bambang H. Mulyono</b> (Indonesia)	Multi-Institutional approaches to limiting deforestation
<b>43. Jose Augusto Fontoura Costa, Solange Teles da Silva &amp; Fernanda Sola</b> (Brazil)	The Perspectives of the Amazonian Treaty as an instrument of harmonization of the environmental legislation in Amazonian Region
<b>44. Patryck de Araujo Ayala &amp; Carlos Teodoro Irigaray</b> (Brazil)	Deforestation in the Amazon: The lack of enforcement in the command and control environmental policy and the challenges for environmental governance in Brazil
<b>45. Romulo Silveira da Rocha Sampaio</b> (Brazil)	Forest and forestry project activities under the Clean Development Mechanism: challenges & perspectives for subsequent commitment periods
<b>46. Carlos Soria</b> (Peru)	Lessons from the Andean Amazon in the light of "Integration of Infrastructure in the Region of South America" (IIRSA) and extractive industries

**Panel VII – Environment, Indigenous Peoples & Human Rights**

**Venue:**

<b>47. Ben Richardson</b> (Canada)	Protecting indigenous peoples through responsible financing
<b>48. Jacqueline Hand</b> (USA)	Climate change and Indian tribes
<b>49. Serguei Aily Franco de Camargo, Fernando Antonio de Carvalho Dantas, Marco Aurélio de Carvalho Martins &amp; Andrei Sicsú de Souza</b> (Brazil)	Protection of traditional knowledge in Amazonia to promote Sustainable Development

16:00 - 18:30 **Meeting on the Development of the Academy's Teaching and Capacity-Building Program – all participants are welcome to attend.**

18:30 Adjourn

## Tuesday, June 5

8.30 Two concurrent panels

08:30 - 10.00 **Panel VIII** – Civil Liability for Environmental Damage

**Venue:**

<b>50. José Juan González</b> (Mexico)	Towards a new theory of Environmental Liability without Proof of Damage: the case of Latin America
<b>51. Branca Martins da Cruz</b> (Portugal)	Environmental responsibility under the 2004/35/CE Liability Directive in European Law
<b>52. Arlindo Daibert</b> (Brazil)	The assessment of diffuse damages in environmental torts as an imperative to ensure sustainability
<b>53. Iwona Rummel Bulska</b> (Kenya)	Liability for environmental damage

**Panel IX** – Ecological Ethics

**Venue:**

<b>54. David Favre</b> (USA)	An animal ethical context v. the sustainable use of wildlife
<b>55. David N. Cassuto</b> (USA)	Industrial agriculture and the ecology of ethics
<b>56. Mekete Bekele Tekle</b> (Ethiopia)	Plant breeders' and farmers' rights under Ethiopian law

**Panel X** – Achieving Ecologically Sustainable Development in cities and local communities

**Venue:**

<b>57. Anél Du Plessis</b> (South Africa)	Local Agenda 21+ 15: A rights-based approach to sustainable communities in the North and South
<b>58. Ivett Montelongo Buenavista</b> (Mexico)	Sustainability through new environmental law in Megacities: Mexico City's case
<b>59. Debra Hasson</b> (New Zealand)	Financial and development contributions to create Sustainable Cities in New Zealand

10:00 Morning Tea

10:30 Two concurrent panels

**Panel XI** – Marine & Coastal Environment

**Venue:**

<b>60. Greg Rose</b> (Australia)	Legal frameworks for integrated marine environmental Management
<b>61. Ann Powers</b> (USA)	The environmental impacts of mariculture
<b>62. Laode M. Syarif</b> (Indonesia)	Managing the Last Remains of Indonesian Fish

<b>63. Paul Musili Wambua</b> (Kenya)	Governance of the "Forgotten Province": a critical appraisal of the policy, legal and institutional frameworks for the control and management of marine resources within Kenya's maritime zones
<b>64. Marcelo Nogueira Camargos &amp; Solange Teles da Silva</b> (Brazil)	An analysis of mangrove swamp legal protection in Brazil in the light of Ecologically Sustainable Development

**Panel XII – Trade & Environment**

**Venue:**

<b>65. Nicola Lugaresi</b> (Italy)	Principle 16 of the Rio Declaration on Environment and Development and the role of the market in the protection of the environment
<b>66. Navamin Chatarayamontri</b> (USA)	The General Agreement on Trades in Services (GATS) Since Rio: Sustainable Development in Trade in Service
<b>67. Pavel Chakraborty</b> (India)	Liberalization of trade in Environmental Goods: Some conceptual & practical issues- A case study of India
<b>68. Vladimir Garcia Magalhães</b> (Brazil)	Implementing Disclosure of Origin Requirements in Intellectual Property Applications on the Intellectual Property Law System
<b>69. José Marcos Domingues</b> (Brazil)	Global warming and environmental taxation on fuel and vehicles: Green budget discipline. The case of Brazil.

12:30 Lunch

14:00 - 15:30 **Plenary Session VI** - The Generation of Ecologically Sustainable Development Law:  
A panel discussion

**Venue: Museum of Sacred Art. Paraty**  
**(Museu de Arte Sacra de Paraty . Largo de Santa Rita , s/ nº)**

<b>71. Prue Taylor</b> (New Zealand)	Pathways to Sustainability: Economics, Ethics and the Law
<b>72. Carl Bruch, Antonio Herman Benjamin, Ben Boer</b> (USA, Brazil & Australia) <b>and colleagues</b>	Toward the Next Generation of Environmental Law

15:30 Second IUCN Academy Distinguished Lecture for 2007

**Nicholas Robinson (USA)**  
Achieving Ecologically Sustainable Development through  
Environmental Law: The Challenge of the Next Decade

16:30 Close of the 2007 Colloquium