Strengthening Environmental Law enforcement in South-east Asia

Status: 10.10.2014

The KAS Rule of Law Programme Asia launched the annual Environmental Law Talks in 2012. Now in its third year the talks are being held in the Philippines, Indonesia and Vietnam. As a region that is blessed with abundance of natural resources and in light of various environmental concerns that have occurred in the recent years a nod on environmental protection is called for by the times, no doubt.

With each year, our objectives have developed from a thematic discussion to more crystallized topics – e.g. the 2014 Environmental Law Talks is centered around a discussion on Effective Enforcement and adjudication of Environmental Laws; a theme that grew out of a general consensus from the previous Environmental Law Talks on what is deemed to be the most urgent need in the sphere of Environment Law and Policy in South-east Asia today.

Another focus that has emerged from the previous Environment Law Talks is Transboundary Environmental Crimes that are inter-linked with organized crime networks and the burgeoning illegal Trade in Wildlife despite international co-operation efforts undertaken in recent years to combat this phenomenon. The issues are inter-connected on the premise that if Environmental Law enforcement is strengthened in every country, it is likely to tighten measures to combat transboundary eco-crimes on a regional scale.

This continued focus on the environment sits well with KAS’s long-standing objective of bringing people together for the promotion of socially equitable, economically efficient and ecologically sustainable societies. The rule of law is thus a key factor to realize this objective.

To institute a vibrant exchange of knowledge across the region, KAS has sought to ensure the presence of key resource persons representing the Judiciary, academia and active organizations in related disciplines.

KAS thanks you for obliging this forum with your meaningful presence. You are invited to seize this occasion and to take active part in the exciting line-up of talks and activities we have carefully planned in part with our partner, the Institute of State and Law, Vietnam.
International Seminar on

‘ENVIRONMENT AND RULE OF LAW:’
STRENGTHENING ENVIRONMENTAL ENFORCEMENT IN SOUTH-EAST ASIA
Hanoi, Vietnam
21st – 23rd, October 2014

20th October, 2014

Arrival of Participants and Check-in at:

Hotel l’opera Hanoi
29 Trang Tien Street
Hoan Kiem District
Hanoi, Vietnam

19.00 hrs Welcome Dinner at Satin Restaurant, Lobby Level, Hotel l’opera Hanoi (for organizers and International guests only)

21st October, 2014

Conference Venue:
Salon Vang + Do, Level 1

08.00 hrs Registration

08.30 hrs Opening remarks:

Mr. Nguyen Nhu Phat, Assoc.Prof. Dr.
Director,
Institute of State and Law, Vietnam Academy of Social Sciences.

Judge Marc Spitzkatz, Director,
Rule of Law Programme Asia, Konrad-Adenauer-Stiftung
SESSION 1: MECHANISMS FOR STRENGTHENING ENVIRONMENTAL ENFORCEMENT IN A RULE OF LAW STATE

Chairpersons:  - Mr. Nguyen Nhu Phat, Assoc.Prof. Dr., Director, Institute of State and Law, Vietnam Academy of Social Sciences.
- Mr. Pham Huu Nghi, Assoc.Prof., Institute of State and Law, Vietnam Academy of Social Sciences.

09.00 hrs  Topic: *Rule of law State and the need to ensure national environment protection*  
Mr. Le Hong Hanh, Prof Dr, Vietnam Lawyers’ Association

09.30 hrs  Topic: *Rule of law State and legal mechanisms to ensure the human right of living in healthy environment*  
Mr. Pham Huu Nghi, Assoc.Prof.Dr, Institute of State and Law, Vietnam Academy of Social Sciences.

10.00 – 10.30 hrs  Tea break

10.30 hrs  Discussion

11.00 hrs  Topic: *Responsibility and obligation to protect environment of the Government*  
Mr. Vu Dinh Nam, LLM, Ministry of Natural Resources and Environment.

11.30 hrs  Discussion

12.00 – 13.30 hrs  Lunch

SESSION 2: ENVIRONMENT AND RULE OF LAW IN VIETNAM

Chair person(s):  - Mr. Nguyen Nhu Phat, Assoc.Prof, Director, Institute of State and Law, Vietnam Academy of Social Sciences.
- Mr. Bui Nguyen Khanh, Assoc.Prof, Vice Director, Institute of State and Law, Vietnam Academy of Social Sciences.

13.30 hrs  Topic: *The role of civil society in environmental protection*  
Mr. Nguyen Van Phuong, PhD, Ha Noi Law University

14.00 hrs  Topics: "*Rule of Law State and right of access to environmental information*”  
Mr. Pham Van Vo, PhD, Ho Chi Minh city University of Law

14.30 hrs  Discussion

1500 – 15.30 hrs  Tea break
15.30 hrs  
Topic: *Environmental Conflict and Environmental dispute resolution mechanisms in Rule of Law state*
Mr. Vu Thu Hanh, Assoc.Prof, the Central Committee of Internal Affairs.

16.00 hrs  
Discussion

16.30 hrs  
Day Debrief

17.00 hrs  
*Buffet Dinner at Cafe Lautrec Restaurant*

**22nd October, 2014**

Conference Venue:
Salon Vang + Do, Level 1

**SESSION 3: THE INTERNATIONAL REGIME TO COMBAT TRANS-BOUNDARY ENVIRONMENTAL CRIMES**

Chair person(s):  
- Mr. Nguyen Nhu Phat, Assoc.Prof, Director of Institute of State and Law, Vietnam Academy of Social Sciences.
- Mr. Bui Nguyen Khanh, Assoc.Prof, Vice Director, Institute of State and Law, Vietnam Academy of Social Sciences.

09.00 hrs  
Topic: *Aspects of Criminal Responsibility in International Environmental Law*
Prof. Joerg Menzel, Bonn University, Germany

09.45 hrs  
Discussion

10.00 – 10.30 hrs  
*Tea Break*

10.30 hrs  
Topic: *ASEAN’s Role in Combating Environmental Crimes: Case Study of Transnational Illegal Wildlife Trade*
Emeritus Prof. Koh Kheng Lian, National University of Singapore

11.00 hrs  
Discussion

11.30 hrs  
Group Photo

12.00 – 13.30 hrs  
*Lunch*

**SESSION 4: ENVIRONMENTAL ENFORCEMENT IN SOUTH-EAST ASIA**

Chair person(s):  
- Mr. Bui Nguyen Khanh, Assoc.Prof, Vice Director, Institute of State and Law, Vietnam Academy of Social Sciences.
- Mr. Pham Huu Nghi, Assoc.Prof, Institute of State and Law, Vietnam Academy of Social Sciences.
13.30 hrs  Topic: Preventing, Fighting and Deterring Illegal, Unreported and Unregulated (IUU) Fishing in the Philippines
Prof. Gloria Estenzo Ramos, University of Cebu, College of Law, the Philippines/Vice President, Oceana Philippines

14.15 hrs  Discussion

14.30 hrs  Topics: The Role of 'Specialized' Court in Combating Environmental Crimes in Indonesia?
Prof. Laode M. Syarif, KEMITRAAN, Indonesia

15.15 hrs  Discussion

15.30 hrs  Day Debrief

16.00 hrs  Seminar conclusion

Mr. Nguyen Nhu Phat, Prof. Dr, Director of the Institute of State and Law, Vietnam Academy of Social Sciences.

Judge Marc Spitzkatz, Director of Rule of Law Programme Asia, Konrad-Adenauer-Stiftung

16.30 hrs  Buffet Dinner at Cafe Lautrec Restaurant

23rd October, 2014  Field Trip