



**Asia - Pacific Centre *for* Environmental Law**

***Report on the Asia-Pacific Centre for Environmental Law  
(APCEL)***

**Third APCEL Report  
July 1998 – July 1999**

**ASIA-PACIFIC CENTRE FOR ENVIRONMENTAL LAW  
(APCEL)  
THIRD ANNUAL REPORT (JULY 1998 - JULY 1999)**

The Asia-Pacific Centre for Environmental Law was established on 15 February 1996 by the Faculty of Law, National University of Singapore (NUS), at the initiative of the Faculty and the World Conservation Union-Commission on Environmental Law (IUCN-CEL), and in collaboration with the United Nations Environment Programme (UNEP). Among the objectives of APCEL are:

- To serve as a regional training centre for the teaching of environmental law;
- To organise conferences, seminars and other programmes on environmental issues;
- To establish and develop a collection of materials on environmental law and policy, and maintain an electronic database; and
- To cooperate and collaborate with law schools, institutes, centres and such other organisations to further its objectives.

An Executive Committee serves APCEL. The members are:

Professor KL Koh, Director  
Associate Professor RC Beckman, Deputy Director  
Associate Professor Lye Lin Heng, Deputy Director (on sabbatical leave)

Associate Professor LR Penna  
Simon SC Tay  
Alan Tan Khee Jin (on study leave)  
Victor Ramraj  
Brady S Coleman

Its Advisory Committee members are:

His Excellency, Professor Tommy TB Koh, Co-chair  
Dr Parvez Hassan (Pakistan), Co-chair

Professor Ben Boer, Australia  
Mr Edwin TF Khew, Singapore  
Professor Alexandre Kiss, France  
Dr Bindu N Lohani, Asian Development Bank  
Ms Mere Pulea, Fiji  
Professor Nicholas A Robinson, USA  
Mr Kasem Snidvongs, Thailand  
Mr Sun Lin, China  
Mr Tan Gee Paw, Singapore  
Ambassador Amado S Tolentino, Philippines  
Dr Wolfgang E Burhenne, Germany

Ex-Officio

Associate Professor Chin Tet Yung  
Dean, Faculty of Law (NUS)

In its short history, APCEL has firmly established itself as an apex institution in the Asia-Pacific region for capacity building in environmental law. The need for such capacity building was underscored at the United Nations Conference for Environment and Development in 1992 in its Agenda 21, which is the blueprint for environmental programmes for the twenty-first century.

The members of APCEL, who are on the staff of the Faculty of Law, have together developed expertise in many areas of environmental law, at the international, regional (ASEAN) as well as local level. This expertise covers subjects such as marine pollution, trade and the environment, and the laws relating to biological diversity. APCEL has also built up a tremendous network of connections with international organisations, such as the World Conservation Union (IUCN), the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR), the Asian Development Bank (ADB) and the World Bank (WB). In a speech at the opening of the new office of IUCN-CEL in Bonn on 24 March 1999, Dr Klaus Topfer, chief of UNEP mentioned APCEL as an important partner of IUCN-CEL in the Asia-Pacific region. In Singapore, APCEL has worked with the Ministry of Foreign Affairs (MFA), the Ministry of the Environment (ENV), the Maritime and Port Authority of Singapore (MPA) and other sectors such as the Regional Institute of Technology (RIET) and the Singapore Association for Environmental Companies (SAFECO). APCEL's model has been replicated in the IUCN-sponsored environmental law centre in Moscow (Ecopravo Eurasia Centre) for the East European region, and will also be shortly replicated at the Kuwait University for West Asia. The APCEL model is also being explored in Mesoamerica and South America. These centres will form part of the global network of environmental law centres and institutes.

APCEL had another very eventful year in its capacity building and research programmes. Its activities reflect a synergy with various institutions, which has given added strength to and facilitated many of its activities. APCEL was invited to jointly organise seminars/workshops by the Government of Singapore/World Bank and the Government of Sarawak/Danish Centre for Environment and Development. APCEL's views have been sought by the Asian Development Bank and the ASEAN Secretariat on a number of environmental matters such as the forest fires in Indonesia and the ratification of the ASEAN Agreement on the Conservation of Nature and Natural Resources. APCEL was consulted on the setting-up of a local National Committee on Sustainable Development. It also gave a professional assessment of an application for a research project financed by the Swedish Development Research. Its members have been invited to serve as resource persons or participants in numerous seminars and training courses both in Singapore and abroad. It has also facilitated the Asian Development Bank to organise the drafting of a syllabus on Climate Change and the Kyoto Protocol for a seminar for senior officials and diplomats to be held in the near future.

APCEL was mentioned in the Manila Resolution on the Role of the Judiciary in the Promotion of Sustainable Development (an output of the Southeast Asia Justices' Symposium on the Law of Sustainable Development, held from 4 to 7 March 1999) as one of the institutions which can contribute to the progressive development of environmental law in the region.

Some highlights of the activities during the reporting period are set forth below:

## **1. TRAINING COURSES**

The following are the training courses which were organised or co-organised by APCEL.

- **IUCN/APCEL/UNEP Course on Teaching Environmental Law at University Level  
8 June – 3 July 1998**

This one-month intensive training course for some thirty environmental law teachers from fifteen countries in the region was jointly organised by IUCN, APCEL and UNEP, and funded by the ADB and NUS. This was the second and final course, the first being held in 1997. Professor KL Koh was a co-director of the course. The other co-directors were Professor Nick Robinson of the Centre for Environmental Legal Studies, School of Law, Pace University and Chairman of IUCN-CEL and Dr Francoise Burhenne-Guilman (former Head, IUCN Environmental Law Centre, Bonn). Over thirty resource persons participated in this multi-disciplinary course, many of whom were experts from abroad. The following members from APCEL also served as resource persons – Prof KL Koh, A/P RC Beckman and A/P Lye Lin Heng, Simon Tay and Lim Lei Theng.

The materials used for the two courses are being prepared for publication by a team which includes members from APCEL. The Asian Development Bank is providing the funding for this publication and the consultants are Professors Nick Robinson, Donna Craig and KL Koh. The publication will be unique in that it assembles relevant materials and case studies from the Asia-Pacific region and will be used for teaching comparative environmental law in the Asia-Pacific law schools. The two training courses together with the publication of the materials, fulfil the call from Agenda 21 of UNCED to build capacity in environmental law and to promote awareness in environmental issues in order to facilitate the implementation of global environmental law treaties.

The 1998 training course was an unqualified success as shown by the feedback from the participants. The course had a multiplier effect, with a number of participants who have since introduced or expanded environmental law courses in their faculties. Currently, IUCN, APCEL and other organisations are working with academics in Indonesia and China to organise follow-up training courses on a country-specific level.

The participants from the two courses are in close contact with APCEL and IUCN. This has enabled APCEL to strengthen and expand its network, which is vital not only in keeping abreast of the developments of environmental law in the region but also in locating materials for the APCEL research project, *A Study of the Environmental Laws in the ASEAN Countries* (see below).

- **Government of Singapore /APCEL/World Bank Seminar on Coastal Environmental Management in Asia  
30 November – 4 December 1998, Singapore**

APCEL was invited by the Ministry of Foreign Affairs and the World Bank to jointly organise the above seminar. As one of the co-directors of this seminar, A/P RC Beckman was jointly responsible with the other co-director from the World Bank, Dr Jose Furtado, in drafting the syllabus for the course. A/P Beckman also served as one of the resource persons in teaching the law component of the multidisciplinary course. The participants were senior officials and administrators of coastal zones from some ten (including Singapore) countries in the Asia-Pacific region.

- **Government of Singapore/APCEL/World Bank Seminar on Urban and Industrial Environmental Management  
12 –21 April 1999, Shanghai**

APCEL was invited by the Ministry of Foreign Affairs and the World Bank to jointly organise this seminar. As co-director of the seminar, Prof KL Koh was jointly responsible

with the other co-director, Dr Adriana Bianchi, from the World Bank, in preparing the syllabus and in chairing various sessions at the seminar. The topics covered included Environmental Governance: the Singapore Experience (delivered by Prof KL Koh), Water Pollution—the Shanghai Environment Management Project; Air Pollution: the Shanghai Experience; Wastewater Treatment in Singapore; Solid Waste Management in Singapore; and Air Pollution Management in Singapore. Some thirty participants from nine countries in the Asia-Pacific region attended the seminar.

- **Integrated Coastal Zone Management and the Law – Training Workshop  
13 – 15 April 1999, Kuching**

This Workshop was organised by three APCEL members, namely, A/P RC Beckman, Lim Lei Theng and Brady S Coleman at the invitation of the ICZM unit of the State Planning Unit of the Government of Sarawak under the programme funded by the Danish Centre for Environment and Development (DANCED). The course combined an analysis of the legal and institutional issues with the teaching of drafting and negotiation skills. State government officials of Sarawak attended.

- **Environmental Law Course for Senior Officers in the Ministry of the Environment  
31 July – 1 August 1998**

This course, designed for senior officials of the Ministry of the Environment, provided an overview of international, ASEAN and Singapore law relating to the environment. The course included presentations on International Environmental Law, Marine Pollution, Trade and the Environment, Singapore Environmental Law, EIA and ASEAN Environmental Management. The following APCEL members conducted the seminars: Prof KL Koh, A/P RC Beckman, A/P LH Lye, Simon Tay and Lim Lei Theng. A/P Beckman is the coordinator of the course.

## **2. CONFERENCE**

- **Fourth Asia- Pacific NGOs Environmental Conference  
26 – 27 November 1998**

APCEL was one of the joint organisers of this Conference, with the Department of Biological Sciences, NUS, and the Japan Environmental Council being the main organisers. The Conference covered a wide range of topics, including policies and measures for arresting global warming and energy options in the Asia-Pacific, Marine Environment in the Asia-Pacific, Environmental Governance, and Forest Conservation Strategies in the Asia-Pacific Region. A/P RC Beckman made a presentation on Marine Pollution and Simon Tay presented a paper, entitled “Asia’s Economic Crises: Impact and Opportunities for Sustainable Development”. The proceedings of the Conference were published in January 1999.

## **3. OTHER CONFERENCES, SEMINARS, COLLOQUIA, ETC.**

APCEL members have participated in numerous conferences, seminars, etc. and have served as resource persons in training courses organised by various organisations. Details regarding the nature of participation are contained in the **Annex** to this report.

## **4. RESEARCH PROJECTS**

An on-going research project on *A Study of the Environmental Laws in the ASEAN Countries* (co-ordinated by A/P RC Beckman) is progressing well. The second monograph, by Alan KJ

Tan, entitled, *Environmental Laws of the Southeast Asian Countries: A Preliminary Assessment*, was published in July 1998. The other monographs, namely, Marine Pollution Laws (A/P RC Beckman), Laws Relating to Biodiversity (Prof KL Koh), Pollution Laws (A/P Lye Lin Heng), Comparative Framework Legislation (Simon SC Tay), Environment Impact Assessment (Lim Lei Theng) are in various stages of preparation. The laws of all ten ASEAN countries are included. When completed, the series of monographs will make a significant contribution to the literature on the environmental laws of the ASEAN member states as this is first project of its kind.

The United Nations commissioned Prof KL Koh and A/P Lye Lin Heng to prepare a *Country Study of Singapore* for its project entitled, *Strengthening Environmental Policy Management and the Administration in the Asia and the Pacific Region*. The Country Study was completed and submitted in November 1998.

The UN Economic and Social Commission for Asia and the Pacific commissioned Prof KL Koh to prepare ten "Boxes" describing the "best practices" in environmental management in Singapore to be included in its publication of the proceedings on the ESCAP Subregional Expert Group Meeting for Pacific Islands: Integrating Environmental Considerations into Economic Policy-Making Processes. Two such meetings were held in 1998 and Prof KL Koh was a participant at these meetings which were attended by some thirty experts in the Asia-Pacific region.

## **5. APCEL LIBRARY AND DATABASE**

APCEL is continuing to develop its collection of environmental law, comprising international and regional instruments and national legislation from the ASEAN countries. Some of this collection are available on the Internet at the APCEL Environmental Law Database. The APCEL website will also be a regional centre for the IUCN (World Conservation Union) Environmental Law Information System (ELIS), as well as a resource centre for UNEP. The website address is: <http://sunsite.nus.edu.sg/apcel/>

## **6. MEMBERSHIP**

Alan KJ Tan is on study leave (14 July 1998 to 30 June 2001), A/P Lye Lin Heng was appointed to Deputy Director on 1 November 1998, and is on sabbatical leave from 9 August 1999 to 8 May 2000. On 31 May 1999, Lim Lei Theng resigned from the Faculty of Law and, hence, is no longer a member of APCEL. Two new members from the Faculty joined APCEL on 19 May 1999: Brady S Coleman and Victor Ramraj.

## **7. VISITORS**

APCEL had some twenty visitors during the reporting period. Among them were John A Boyd (Asian Development Bank), Professor Neil Gunningham (Australia), Professor Wang Xi (China) and Professor Takehisa Awaji (Japan).

## **8. DONATION**

Prof KL Koh donated S\$2,000 to APCEL from her honorarium as co-director in the Government of Singapore/APCEL/World Bank Seminar on Urban and Industrial Environmental Management (11–21 April, 1999, Shanghai).

Koh Kheng Lian  
Director  
Asia-Pacific Centre for Environmental Law  
August 1999