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A Word from the Editors

This issue of the eJournal is the first produced under the guidance of new Co-Editors. Professors Amanda Kennedy and Elizabeth Kirk stepped down as Co-Editors-in-Chief during 2015 and were replaced by Michaela Young, previously Managing Editor for the Journal, and Gay Morgan as the new Co-Editors. The role of Managing Editor is now in the hands of Dr. Opi Outhwaite. Thankfully, the Board was able to continue drawing on the assistance and expertise of Maria Marquès i Banqué in respect of Teaching Articles, Prof. David Hodas in respect of Book Reviews and Dr. Emma Lees and Dr. Kylie Lingard as Assistant Editors for Country Reports.

As the new Co-Editors we hope to grow and expand on the foundation laid by the previous Editors and the founders of the eJournal. We look forward to working with the Editorial Board on future issues of the eJournal.

This issue of the eJournal once again reflects a wide array of contributions from all over the globe and attests to the fact that environmental law and scholarship in this field continues to grow and develop. We are especially pleased that for the first time, this issue also features three Teaching Articles, which may serve as an inspiration for and a repository of information regarding the practice of teaching environmental law.

The first Teaching Article by Karen Bubna-Litic provides feedback on a 'Train the Trainers' project in the Asia-Pacific Region. This project was focused on teaching methodologies rather than building substantive content-driven knowledge amongst developing country scholars and teachers of environmental law. This contribution provides a useful record of the project and may inspire, and provide the basis for future training programmes in other regions of the globe.

The Teaching Article by Michelle Lim then focuses on a particular teaching method as a means of enriching and strengthening the student learning experience. Lim advocates for using qualitative scenarios in teaching environmental law. This teaching method entails the use of storylines which describe plausible futures with the intention of creating an opportunity for students to reflect on the extent to which existing laws and institutions are capable to bring about the future scenario.

The final Teaching Article by Paterson *et al.* provides information about a collaborative IUCN project which sought to enhance teaching and learning in the area of Protected Areas Law and Governance. The materials produced as part of this project include outlines, seminar presentations, exercises and short videos. These resources, which are freely available online, have the potential to enhance and develop teaching in this increasingly important field and the Editors hope that this contribution will draw the attention of many readers of this issue to this valuable resource.

This issue also presents five excellent substantive articles on an array of issues. Elizabeth Brandon tackles the problem of transboundary water pollution, with its effects on not only the environment of the polluting country but on those of downstream countries as well, endangering the health of many species. She looks at the problem in the context of Asia, in particular China, and the patchy framework of bilateral agreements governing incidents of Chinese pollutants affecting its neighbours' waters. She suggests the UN model used in the European context as a possible solution.

Mikiel Calleja and Simone Borg explore the possibilities for increasing the scope of green shareholding to encourage responsible investment, proposing the shareholders' limited liability be conditioned on their conduct vis-à-vis the environmental policies and conduct of the relevant corporation. Shareholders facilitating poor environmental stewardship, either through active support or apathy, would lose a measure of protection while those who promoted responsible corporate environmental policies would be favoured.

Evan Hamman, Katie Woolaston and Bridget Lewis wrestle with the knotty practical and moral issue of lethal management of endangered species which imperil human life, and how that problem might best be managed. They address this issue specifically in the context of shark attacks in Australia. They advocate that the considered use the precautionary principle can best guide the resolution of such conflicts. Their observations and analysis are usefully transferrable across jurisdictional lines, as many jurisdictions face this same issue of trying, as far as possible, to successfully protect the life interests of both.

Sarah Jackson presents a comparative analysis of the different sorts of approaches to 'Payments for Ecosystem Services' (PES). She explores the concept and then describes three different legal frameworks in use. She uses case studies from a variety of jurisdictions using PES to compare how these work, to show the fundamental differences in application and to highlight the differing incentives that result.

Claire Lajaunie and Pierre Mazzega trace the emergence and evolution of inclusion and consideration of human and animal health issues in a variety of international biodiversity conventions. They explain the convergence of concern about the interlinkages between biodiversity, ecosystem stability and infectious diseases which has led to a collaboration between the World Health Organisation and international environmental programmes

(United Nations Environment Programme and Convention on Biological Diversity, for example). They explain how this has led to a comprehensive concept of 'One Health' and the purposes that concept can serve.

This suite of substantive articles is followed by Lisa Benjamin's and Adelle Thomas's timely Insight Article on the Paris Climate Accords. They trace the thinking and strategies for the Alliance of Small Island States (AOSIS) to convince or to encourage the Paris parties to reduce the goal to limit global temperature rises to 1.5°C rather than the presumed 2°C, which is essential and not only for AOSIS members. They also raise the issue of responsibility of large emitters for harm to low lying states and how that constrains the agreements actually reached.

The issue then continues with 18 country reports from all regions of the world. A number of these reports capture developments in the climate change arena. For example, the U.S. country report *inter alia* delves into litigation on regulations that seek to limit greenhouse gas emissions and provides an analysis of the divisions in Congress that prevent more meaningful and effective environmental regulation in the United States. Climate change also remained on the agenda of other countries, including Taiwan, which recently enacted specific climate change legislation, and Australia. The latter report explores in particular the future of renewable energy in Australia and suggests a worrying trend in that targets for renewable energy production in the most recent iteration of Australia's climate change policies were lowered and notes with concern the conservative Nationally Determined Contribution communicated by Australia under the Paris Agreement. Along with Australia, promotion of renewable energy also featured on Nepal's agenda during 2015.

Linked with climate change is of course the issues of atmospheric pollution. This topic is explored in more detail in one of the China Country Reports (by Jinjing Zhao). The report reviews amendments to the existing legislation and concludes that while the amendments have brought about positive reform, many challenges remain.

A number of the Country Reports also evidence important developments regarding environmental provisions in the Constitutions of the relevant States. As evidenced by the Nepal Report, 2015 was an historic year for the country as it adopted a new Constitution. This Constitution now embraces a strong environmental right. In contrast, recent Constitutional reform in Armenia appears to have weakened environmental rights in that country.

Several country reports also devote attention to access to information, to legal standing, and to public participation. The Czech Republic Report provides an overview of crucial amendments to the law governing public participation and access to courts in the Environmental Impact Assessment context and the Australian report provides yet another worrying trend emerging from that jurisdiction in the form of attempts to limit legal standing in

the environmental context. In the Bahamas on the other hand, it seems that progress is being made in regard to access to information and public participation. Increasing attention is also being paid to implementation and enforcement issues, which are themes highlighted in the Italy and Thailand reports.

Highlighting the importance of water around the globe, three Country Reports in this issue deal with water-related issues. The Germany Report grapples with a question of principle, in particular, the non-regression principle, while the Mexico Report analyses a proposed new water law which is intended to improve water management. Finally, the New Zealand Report provides an account of recent case law regarding the allocation of water rights.

The importance of biodiversity protection is highlighted in the Country Reports from France, which grapples with the regulation of GMOs, and Ukraine, which provides a survey of Ukrainian law and implementation challenges faced there in regard to biodiversity protection. Finally, two of the reports pick up on developments in the marine context. The second China report provides an overview of the development of a Marine Spatial Planning Framework in China, and the Australian Report highlights domestic developments in the continuing whaling saga.

We see from these scholarly articles and reports that water quality and temperature, air quality and temperature, and the sustainable husbandry of water and water resources are fundamental issues for supporting biodiversity, as well as for better management of human interaction with ecosystems, both through infrastructure development and through 'harvesting' for food, for protecting other human interests in agriculture or for simple recreation. In essence, the issue reflects humanity's ongoing struggle to 'fit' as 'good citizens' in the global ecosphere, such that our fellow 'citizens' (plant and animal) may also continue to thrive.

The issue concludes with three Book Reviews by Burleson, Kotzé and Popattanachai. The books reviewed by the Burleson and Kotzé explore and investigate the evolving linkages between environmental issues and human rights, while Popattanachai has reviewed a timely and comprehensive handbook on the law of the sea.

Michaela Young & Gay Morgan

Articles	Transboundary Water Pollution in the Context of China: A Role for the UNECE Industrial Accidents Convention in Asia? <i>Elizabeth J. Brandon</i>
	Piercing the Corporate Veil: Greening Companies' Governance and Shareholder Activism <i>Mikiel Calleja and Simone Borg</i>
	Legal Responses to Human-Wildlife Conflict: The Precautionary Principle, Risk Analysis and the 'Lethal Management' of Endangered Species <i>Evan Hamman, Katie Woolaston and Bridget Lewis</i>
	Legal Frameworks for Payments for Ecosystem Services: Comparative policy approaches to establishing, regulating and enabling payments to conserve ecosystems <i>Sarah Jackson</i>
	One Health and Biodiversity Conventions: The Emergence of Health Issues in Biodiversity Conventions <i>Claire Lajaunie and Pierre Mazzega</i>
Insight Articles	1.5 °C to Stay Alive: AOSIS and the Long Term Temperature Goal in the Paris Agreement <i>Lisa Benjamin and Adelle Thomas</i>
Teaching articles	Strengthening capacity for environmental law in the Asia-Pacific Region: Developing Environmental Law Champions <i>Karen Bubna-Litic</i>
	Building Sustainable Futures in the Legal Classroom <i>Michelle Lim</i>

	<p>Teaching materials on protected areas law and governance <i>Alexander Paterson, Barbara Lausche, Patti Moore, Jamie Benidickson and Lydia Slobodian</i></p>
<p>Country Reports</p>	<p>Armenia: Environmental Protection in the Context of the New Constitution <i>Aida Iskoyan, Heghine Hakhverdyan and Laura Petrossiantz</i></p>
	<p>Australia <i>Catherine Owens</i></p>
	<p>Bahamas: Legislative Developments <i>Theminique Nottage, Renee Farguharson and Megan Curry</i></p>
	<p>China: Revised Atmospheric Pollution Prevention and Control Law <i>Nengye Liu</i></p>
	<p>China : National Plan for Marine Spatial Planning <i>Jinjing Zhao</i></p>
	<p>Czech Republic <i>Milan Damohorsky and Petra Humlickova</i></p>
	<p>France: Towards a Renewal of GMOs Regulation? <i>Emilie Chevalier</i></p>
	<p>Germany: German Water Law <i>Eckard Rehbinder</i></p>
	<p>Italy: New Law on Environmental Criminal Offenses <i>Carmine Petteruti</i></p>
	<p>Mexico: The Human Right to Water <i>Tania Garcia</i></p>
	<p>Nepal: Environmental Law in 2015 <i>Amber Pant</i></p>
	<p>New Zealand: Fresh Water Allocation:</p>

	Property Rights, Non-Derogation and Legitimate Expectation <i>Trevor Daya-Winterbottom</i>
	Spain <i>Lucia Cassado</i>
	Taiwan: New Climate Change Law <i>Yingshih Hsieh</i>
	Thailand: Struggle to Enforce Environmental Law <i>Andre De Vries</i>
	Ukraine: Biodiversity Policy and Legislation in Forestry <i>Svitlana Romanko</i>
	United States of America: Congressional Opposition Fails to Halt Key Obama Administration Environmental Initiatives; Court Battles Loom as 2016 Presidential Election Approaches <i>Robert Percival</i>
Book Reviews	Environmental Law Dimensions of Human Rights (Ben Boer (ed.)) <i>Reviewed by Elizabeth Burleson</i>
	Global Environmental Constitutionalism (James R. May and Erin Daly) <i>Reviewed by Louis Kotzé</i>
	Oxford Handbook of the Law of the Sea (D Rothwell, A Oude Elferink, K Scott, and T. Stephens (eds)) <i>Reviewed by Naporn Popattanachai</i>