



December 2009*

IUCN Academy's Global Survey of Scholarly Research Areas

The IUCN Academy of Environmental Law recognizes that environmental legal education is a vital contributor to the rule of law and to the robust environmental governance essential for sustainable development.

In pursuit of its mission, the Academy focuses on capacity building in teaching and global research programs in collaboration with its member institutions. To develop a clearer picture of the needs and capacity constraints of its member institutions in teaching environmental law, the Academy conducted a "[Survey of Teaching and Capacity Building](#)" in 2008. One of the key findings was that in most institutions world-wide, environmental law was not a core or compulsory subject in their law programs. One of the reasons noted was the non availability of environmental law scholars to teach the subject. The results of that survey helped to pinpoint those areas in which member institutions have capacity strengths or deficits. Building on the findings of this survey, in 2009 the Academy's Research Committee developed a survey of the research expertise among scholars in the Academy's member institutions. The survey was designed with an understanding that teaching capacity is strengthened in part by the research expertise of an institution's scholars and their access to expertise in areas of common interest in other institutions.

The main objective of the survey was to compile a database of research activities and expertise to assist:

- Individual scholars to access others with relevant expertise for research collaboration;
- Graduate and post-graduate students seeking additional advice and supervision support, beyond their home institution;
- Journalists wishing to access expertise on various environmental law issues;
- Government departments in their legislative process and policy making; and
- NGOs and general public (civil society) in their initiatives for awareness of environmental law.

In this report, results from the survey are categorized under the following headings

1. Response rates from member institutions

* This report was written by Imran Akram, a member of the Academy's Research Committee. In addition to authoring the report, Mr. Akram played a major role in the survey analysis. Comments were provided by Benjamin Richardson, co-chair of the Research Committee, Yves Le Bouthillier and Carolyn Farquhar of the IUCN Academy of Environmental Law. Additional thanks to members of the Research Committee and Eric Proulx, webmaster at the Faculty of Law at the University of Ottawa.

2. Current research interests (primary and secondary areas) of the scholars
3. Links to research publications of the scholars
4. Reported environmental law research plans (for next 5 years)
5. Perspectives on the role of IUCN Academy of Environmental Law
6. A way forward

1. Response from the member institutions

The survey was administered to scholars from **107** member institutions (that is, all member institutions of the Academy at the time of the survey) around the globe. In return, **the Academy received responses from scholars from seventy-four (74)** institutions. It is worth noting that a small number of scholars from non-member institutions also responded to the online survey. The Academy looks forward to their active involvement in the Academy's efforts. A total of **155** scholars responded to the survey. To see the complete research database of scholars, please click [here](#).

Findings of the research survey will help the Academy to tailor its future research programs to the expectations and needs of member institutions. It will also enable the Academy in identifying the problems faced by scholars from member institutions in their research activities. The following table provides a summary of the survey response by geographic region:

Table: Response from institutions around the Globe														
Region¹	Total Institutions²		Institutions Responded		Income Group³ of Respondents				Total Scholars⁴ (from institutions who responded)			Scholars Responded		
	Member	Non-member	Member	Non-member	LI	LMI	UMI	HI	Member	Non-member	Total	Members	Non-member	Total
Africa	13	2	8	2	4	2	4	-	35	5	40	23	2	25
Meso-America	4	--	1	--	--	--	1	--	7	---	7	2	---	2
South East Asia	3	--	1	--	--	1	--	--	5	---	5	2	---	2
North Asia	15	1	6	1	--	7	--	--	30	1	31	8	1	9
North America & Caribbean	24	5	11	6	--	--	--	16	86	9	95	38	6	44
South America	8	5	4	6	--	--	9	--	12	17	29	6	6	12
South & West Asia	6	1	3	1	2	2	--	--	6	1	7	3	1	4
Oceania	9	1	5	1	--	--	--	6	30	3	33	15	1	16
Eastern Europe & Central Asia	3	1	1	1	--	--	1	1	3	1	4	1	1	2
Western Europe	22	5	11	5	--	--	--	16	66	15	81	34	5	39
Grand Total	107	21	51	23	6	12	15	39	280	52	332	132	23	155

Note: The figures quoted in this report and data shown in the diagrams is according to the response of scholars till mid 2009. The Academy shall make further efforts to involve the scholars from existing and prospective member institutions.

¹ Regions in the table are shown according to the categorizations of the IUCN Academy of Environmental Law.

² Total number of institutions is calculated on the basis of list of member institutions as well as according to the affiliations of scholars who responded to the online survey whether or not their institution is a member of the IUCN Academy of Environmental Law.

³ This economic classification of countries is same as maintained by World Bank. Economies are divided according to 2007 GNI per capita, calculated using the World Bank Atlas method. The groups are: low income (LI), \$935 or less; lower middle income(LMI), \$936 - \$3,705; upper middle income(UMI), \$3,706 - \$11,455; and high income(HI), \$11,456 or more)

⁴ Total number of scholars from an institution is calculated on the basis of existing membership data and also on the basis of research survey forms in which scholars responding the survey identified other environmental law colleagues in their institutions. The total number of scholars shown in this column is from the institutions who responded the survey (both members and non members).

2. Current Research Interests of the Scholars

To identify the research interests of the scholars, the survey provided a list of 32 different topics of environmental law, listing some of the most important ones but is not meant to be comprehensive. Respondents were asked to identify any of those topics either as their primary or secondary areas of interest. Scholars could also indicate topics that were not included in the list.

The suggested topics were as follows:

1. Agricultural law (including soils)
2. Alternative regulatory tools (e.g. voluntary codes and self-regulation)
3. Animal (welfare) law
4. Biotechnology law
5. Climate change law
6. Constitutional law and the environment
7. Corporate environmental responsibility
8. Criminal law and the environment
9. Cultural heritage law
10. Economic instruments & the environment (taxes, emission trading, etc)
11. Energy law
12. Enforcement & compliance issues
13. Environmental ethics & justice
14. Environmental dispute resolution (litigation, mediation, etc)
15. Environmental impact assessment
16. Environmental politics
17. Financial & investment issues
18. Human rights & the environment
19. Indigenous peoples & the environment
20. International environmental law
21. Marine & fisheries law
22. Municipal & land use planning
23. Natural resources management (forestry, mining, etc)
24. Occupational health & safety law
25. Pollution & toxics control
26. Private Law (Nuisance, negligence etc)
27. Public Health and the Environment
28. Science & risk in environmental regulation
29. Regional environmental law (e.g. European Union)
30. Trade law & the environment
31. Waste management
32. Water Law

Areas which were least identified as primary interest of scholars are:

- Animal (welfare) law
- Cultural heritage law,
- Financial and investment issues,
- Occupational health and safety
- Private law (nuisance, negligence etc)

The following are the areas in which no more than ten scholars expressed their interest:

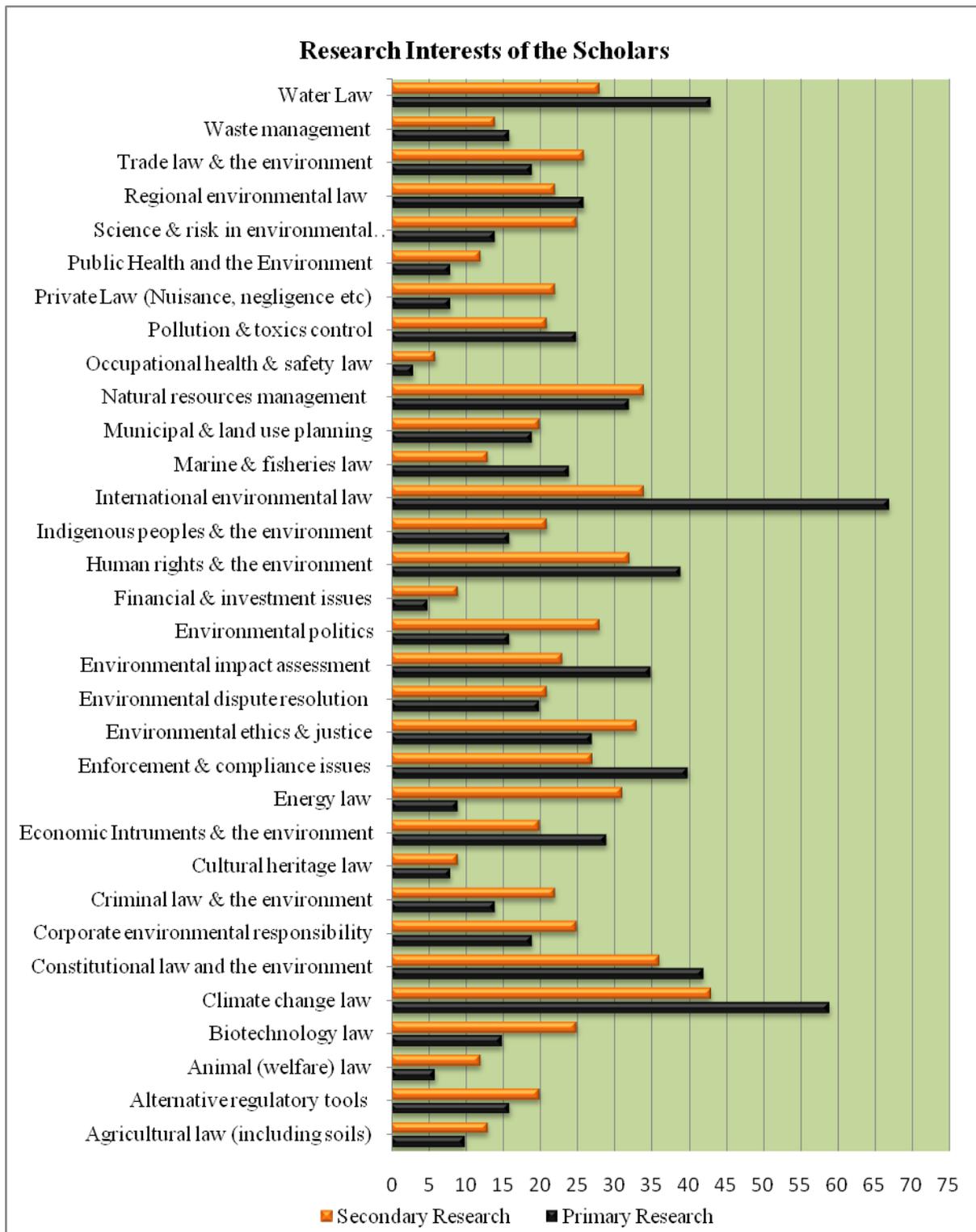
- Agricultural law (including soils)
- Alternative regulatory tools (e.g. voluntary codes and self-regulation)
- Criminal law & the environment
- Environmental politics
- Municipal & land use planning
- Science & risk in environmental regulation
- Waste management

The Academy could probe further the reasons for low response in these areas. One reason for this low response, notwithstanding that they are important issues, is the insufficiency of research literature in some regions. Secondly, some of these are emerging areas and are not under the rubric of most environmental law teaching/research programs in member institutions. The Academy's resources could be focused on addressing these aspects, for example, through organizing conferences or seminars on these topics.

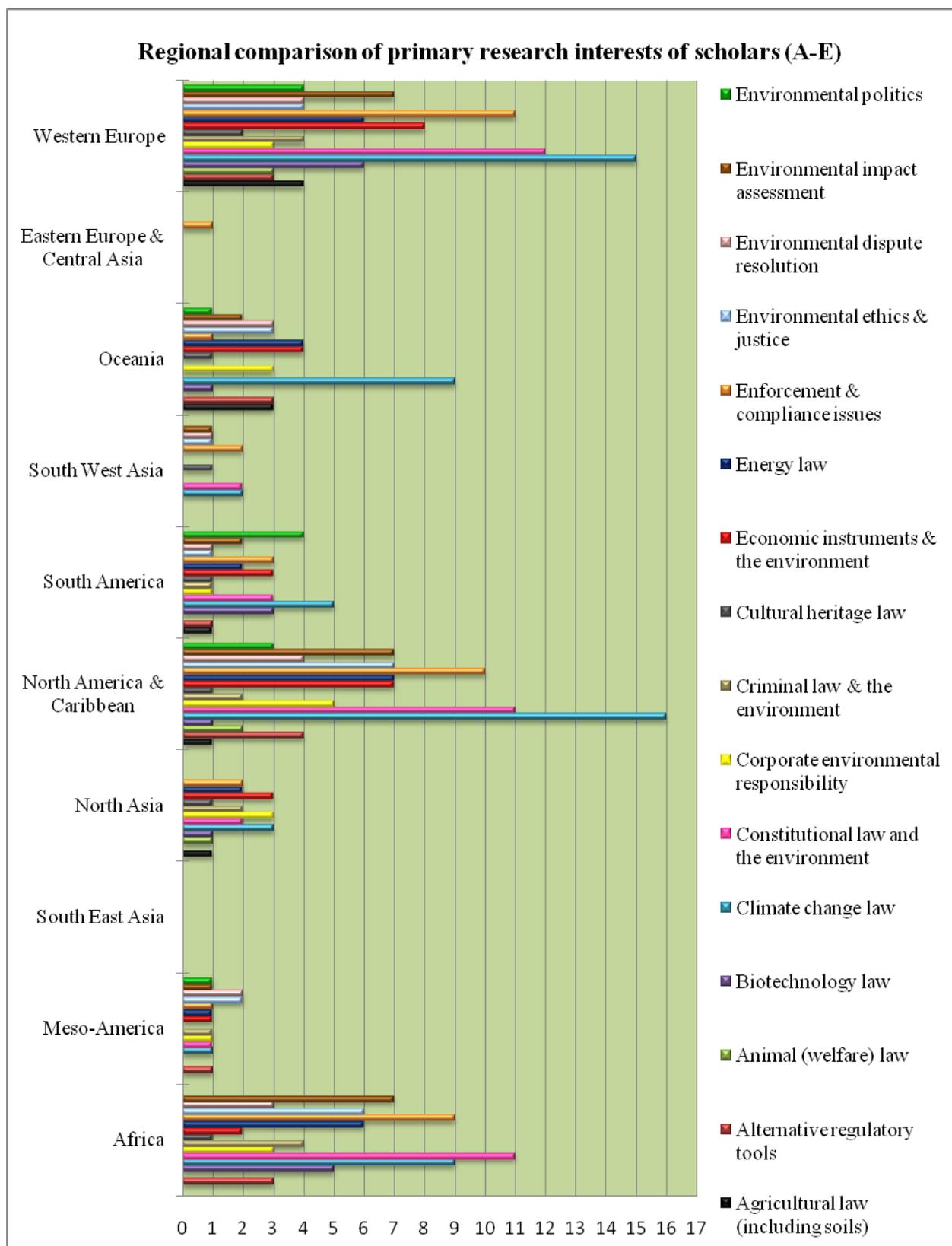
Areas with high interest include: (more than 20 scholars)

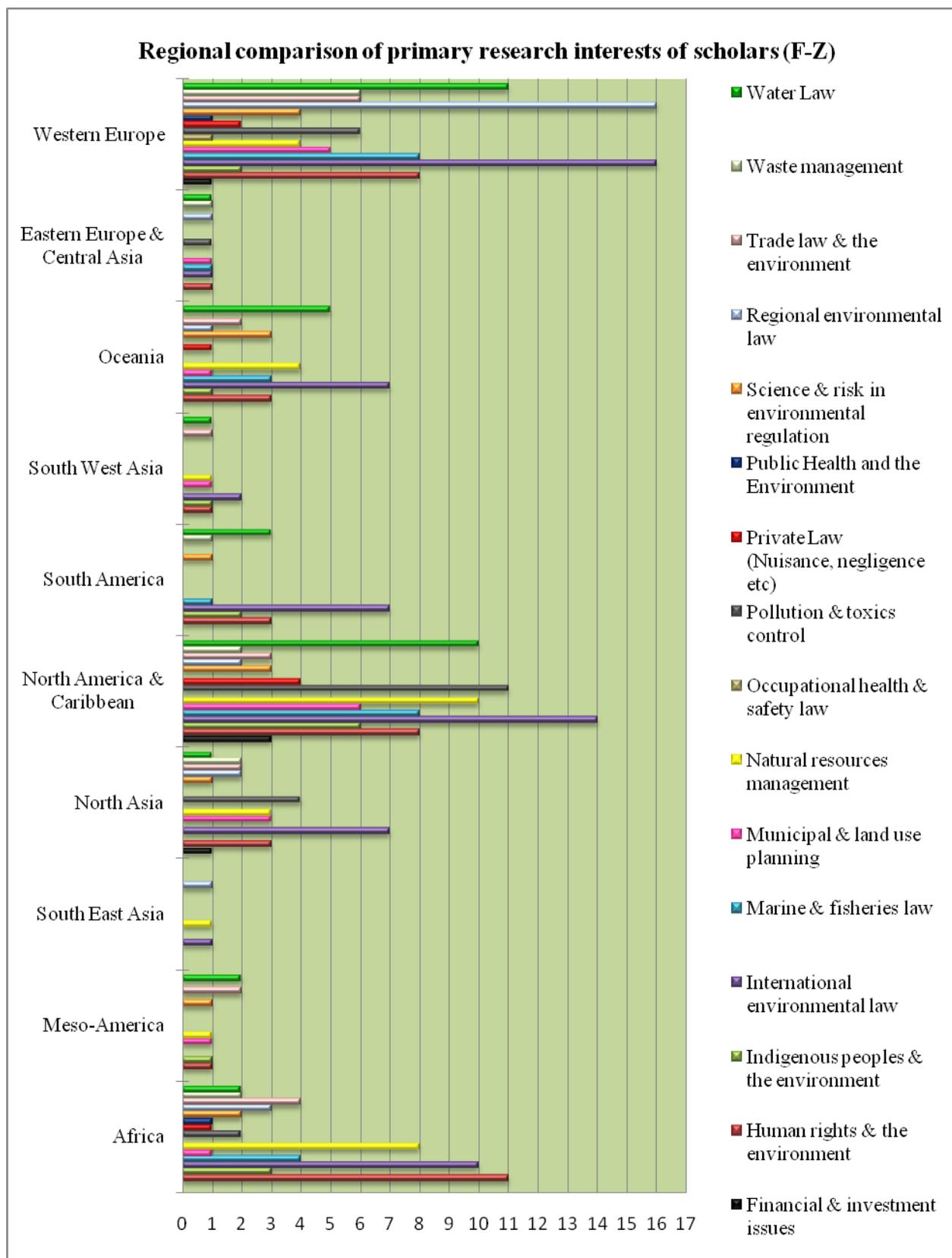
- Climate change law
- Constitutional law and the environment
- Economic instruments & the environment (taxes, emission trading, etc)
- Enforcement & compliance issues
- Environmental impact assessment
- Human rights & the environment
- International environmental law
- Natural resources management (forestry, mining, etc)
- Water Law

It should be noted that a higher volume of responses in some regions (e.g. Western Europe), may emphasize a particular set of research interests as compared to some other regions. In other words, there is a difference between absolute and relative importance in the numbers. For example, a very low response in South East Asia does not so much reflect a lack of research interests in the relevant field but rather a lower number of responses from that region. For a detailed analysis, please see the diagram below.



To analyze the primary interests of scholars region wise, please see the diagrams below;



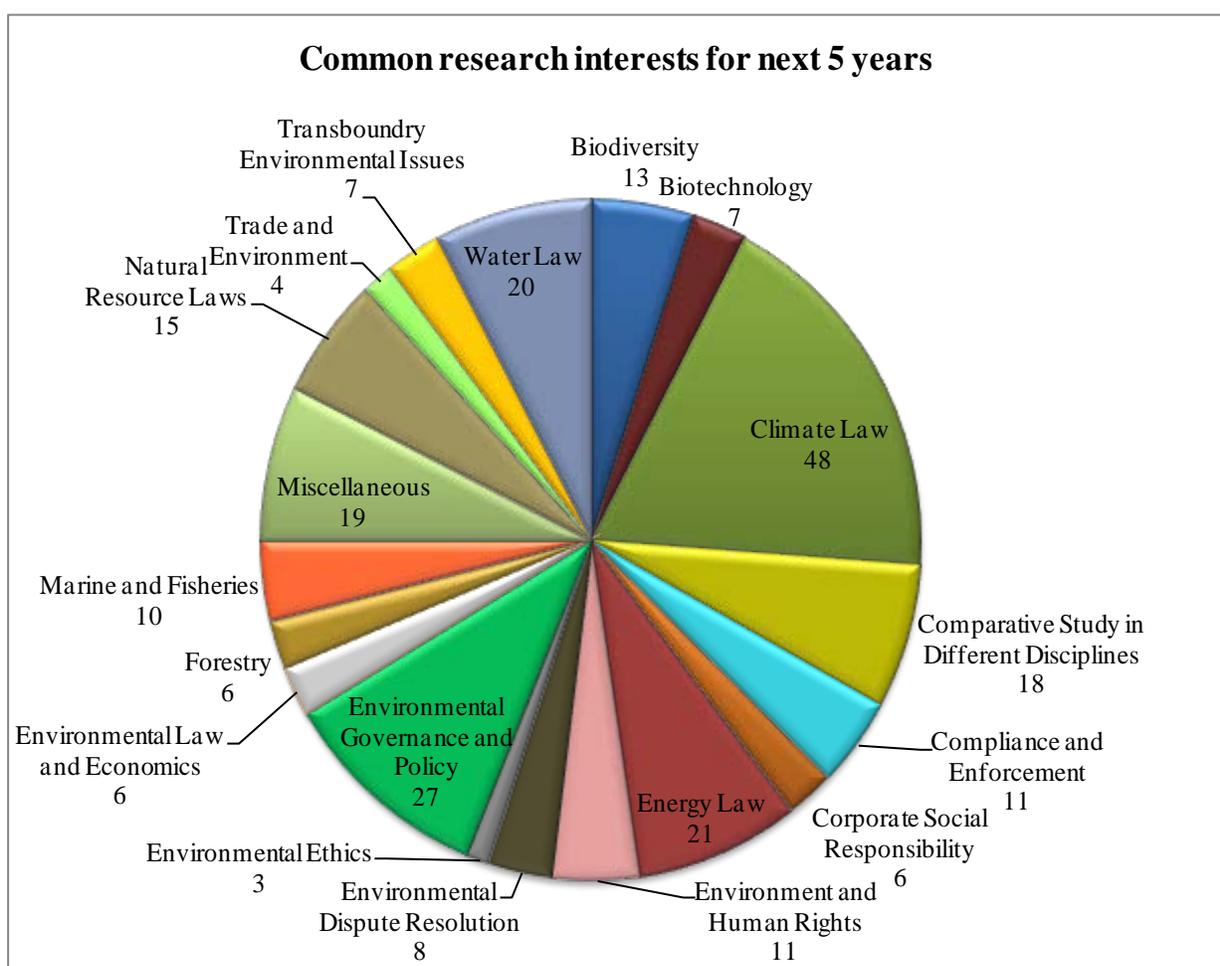


3. Research and Publications of the Scholars

Respondents to the survey were asked to provide a list of examples of their major research publications for those topics identified as being their “primary research”. For a list of publications provided by each scholar, please click [here](#). Please note that these are abridged lists of the research work conducted by respondents.

4. The Main Environmental Law Research Plans (next 5 years)

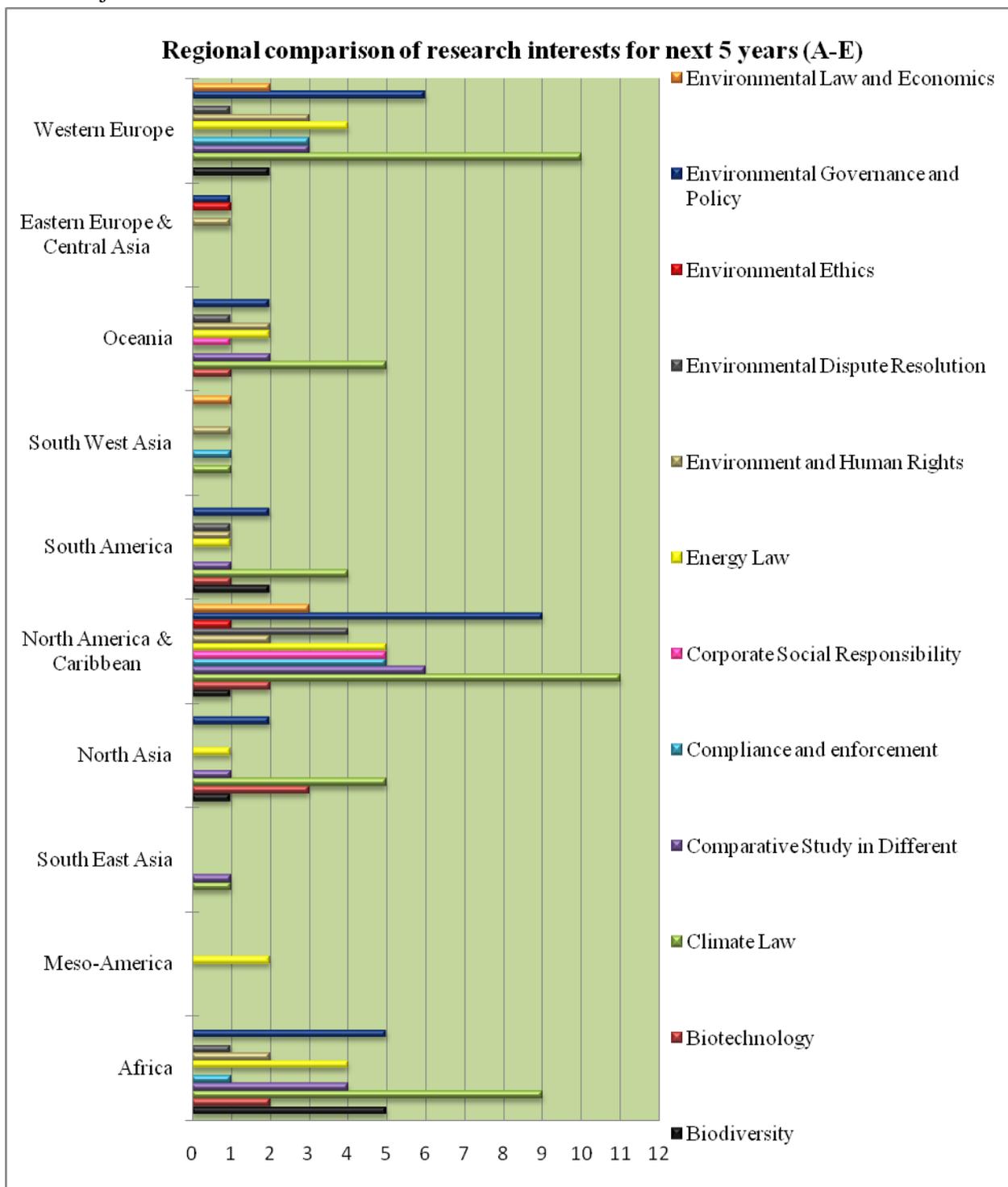
The survey included a question about environmental law research plans of the scholars over the next 5 years. The themes identified, presented in chart below, will facilitate networking and collaboration among respondents with common areas of interest/research.

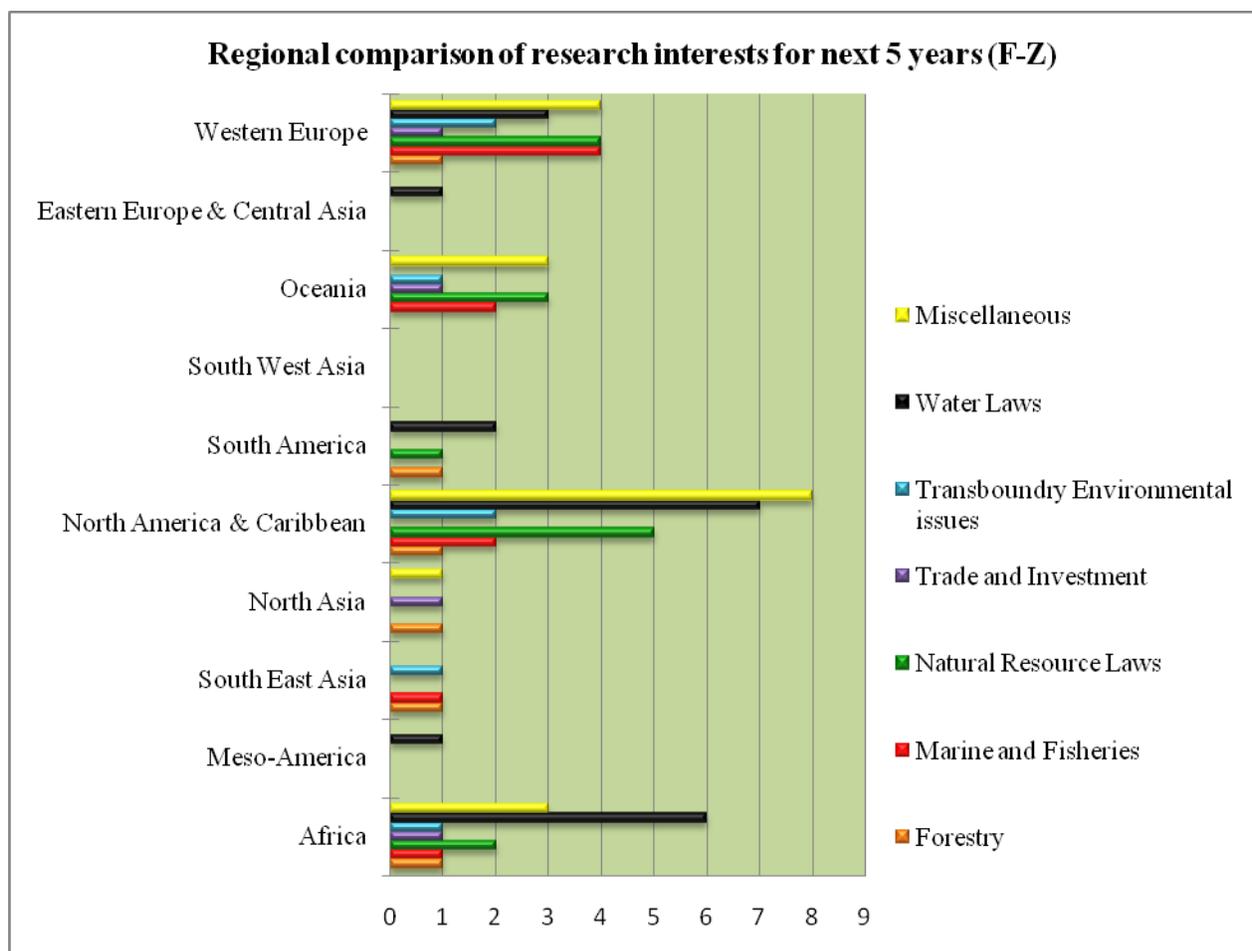


Note: This grouping is based on the language used by the scholars to express their research interests and may differ from the list of topics in the survey. Note also that numbers in the chart for research interests could be different if the list had been shorter. For instance, natural resources laws would take a larger portion of the chart if one would have included forestry, water and marine and fisheries in it.

The following is a comparative analysis of scholars’ interests from different regions. The analysis reveals that in certain regions some important areas of environmental law are not in the priority list of scholars for the coming five years. One could have expected that scholars in those

regions to have identified areas on which they have the advantage of first hand information of the legal issues concerned. The low response in some of the research areas might be attributed to the number of member institutions, their faculty strength, and non-availability of research material in those subjects.





5. The role of the IUCN Academy of Environmental Law, as envisaged by the scholars

To help determine how the Academy could best assist scholars from member institutions in their research activities the survey asked a specific question on this issue. Among 155 scholars, 93 replied to this question. Six broad areas are identified in which scholars would expect an active role on the part of the Academy. These are noted in order of importance, with particularly strong endorsement for the first two:

- Opportunity for research collaboration
- Dissemination of knowledge
- To sponsor or arrange funding for the research activities
- A forum for meetings, dialogue, international exchange of scholars
- Establish research groups
- Capacity building

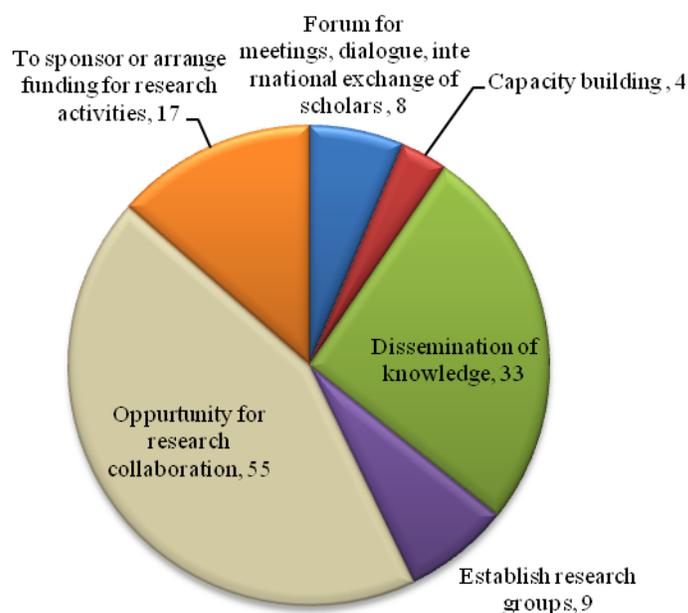
Most of the scholars consider the IUCN Academy as a valuable institution to facilitate future research collaboration among the scholars having the same areas of interest. Some of them also suggested that based on the common research interests of the faculty members, research

groups should be constituted within the IUCN Academy. A large number of scholars also supported the role of the IUCN Academy in disseminating knowledge of environmental legal issues. They expected that the Academy could do this through online journals, publishing books, organizing conferences, and to make other relevant material available online. There was also a proposal to maintain a well-developed research database or an electronic library for the member institutions.

Funding for research activities was also highlighted in the response from respondents. Fellowships, post-doctoral awards, and research grants were the major areas of concern of scholars, particularly from developing countries.

A few scholars were of the view that the Academy should provide a forum for frequent meetings among scholars to develop dialogue about current environmental issues and their research interests. They emphasised that the Academy should monitor and coordinate the international exchange of scholars and students among the member institutions. Some scholars also pointed out the need for capacity building in terms of formal training courses.

In what ways, if any, you believe the IUCN Academy could help you achieve these research plans or goals? (93 scholars out of 155, answered this question)



6. A Way Forward

The survey results have provided the foundation for a comprehensive database of scholars. The development of this database is a milestone for the IUCN Academy in promoting networking and collaborative research among scholars from the member institutions. All the research survey data organised in “[Directory of Scholars](#)” is available in different search interfaces e.g. by name, region, institution and research topic. The Academy Secretariat will periodically update the existing information and ensure that new scholars are included in the Directory. While the Academy encourages scholars to use the database for research collaborations, the Academy will gain from being updated regularly on scholars’ new publications, research interests and change in biographic information.