

**REGIONAL CAPACITY DEVELOPMENT TECHNICAL ASSISTANCE
STRENGTHENING CAPACITY FOR ENVIRONMENTAL LAW IN THE
ASIA-PACIFIC: DEVELOPING ENVIRONMENTAL LAW CHAMPIONS
TRAIN-THE-TRAINERS PROGRAM
27 November – 1 December 2017
Siem Reap, Cambodia**

Day 1		27 November 2017
TIME	ACTIVITY	PRESENTER(S)/CONVENOR
1. OPENING CEREMONY + INTRODUCTION TO THE COURSE		
8:30 – 9:00	Opening ceremony <ul style="list-style-type: none"> • Speeches by representatives of ADB, IUCNAEL and host institution (Pannasastra University of Cambodia, School of Law and Public Affairs) • Group photo 	ADB Speaker – Sonia Chand Sandhu, Senior Advisor to Vice-President, Knowledge Management and Sustainable Development, ADB IUCNAEL Speaker – Professor Rob Fowler, former Chair of IUCN Academy of Environmental Law and Team Leader, TTT Program Dr. Sam-Ang Sam, Chancellor, Paññāsāstra University of Cambodia
9:00 – 9:05	Short break	
9:05 – 10:00	Introduction of international trainers & IUCNAEL Project Manager Introduction of trainers (local) Introduction of participants	Rob Fowler, IUCNAEL Team Leader Phallack Kong Phallack Kong
10:00 – 10:30	Introduction to the course: Explanation of: <ul style="list-style-type: none"> • Course purpose and structure/content • Concept of learning outcomes • Teaching methodologies to be demonstrated during the course • Reflective Journal • ADB video on Environmental Law Champions 	Rob Fowler
10.30 – 11.00	Tea Break	
2A. BUILDING ENVIRONMENTAL LAW CHAMPIONS		
11:00 – 11:20	<ul style="list-style-type: none"> • Presentation of ADB web-site: http://www.teachenvirolaw.asia/ (15 mins.) • Introduction to the State of Environmental Law Teaching (SELT) Report 	Angelo Jacinto, ADB consultant Cristina Velez, ADB consultant Joyce Melcar Tan, ADB consultant
2B. GLOBAL & REGIONAL ENVIRONMENTAL ISSUES		
11:20 – 11:45	<ul style="list-style-type: none"> • Introductory presentation on GEO-6 report (global and Asian perspectives) (25 mins.) 	Sandy Paterson
11:45 – 12:10	<ul style="list-style-type: none"> • Participants divided into 5 groups (3 Cambodia/2 Laos) to identify 5 key national environmental issues (25 mins.) 	Local trainers

12.10 – 12.20	<ul style="list-style-type: none"> • Presentation on Cambodia Environmental Issues (10 mins.) 	Hoy Sereivathanak Reasey
12.20-12.30	<ul style="list-style-type: none"> • Presentation on green projects in Cambodia and Laos - policy and implementation challenges 	Sonia Chand Sandhu
12.30 – 1.30	Lunch	
3 INTRODUCTION TO ENVIRONMENTAL LAW : GOALS, PRINCIPLES & NORMS		
1.30 – 2.10	<p>Drafting exercise on legislative definition of “environment”:</p> <ul style="list-style-type: none"> • Participants to be divided into groups of 5 to draft legislative definition of “environment (10 mins.) • Each group to write-up their legislative definition (5 mins.) • Class feed-back/discussion on definitions (10 mins.) • Presentation of definitions in relevant environmental laws (15 mins.) 	Local trainers to assist small groups Amanda Kennedy Phallack Kong/ Khemnguen Pongmala
2:10 – 2:40	<p>Presentation: Introduction to Environmental Law</p> <ul style="list-style-type: none"> • Goals: Sustainable Development & the UN Sustainable Development Goals (SDGs) • Core principles of environmental law (directing and design) • Norms of environmental law: general rights and duties • Core components of environmental law (introduction to Sessions 4-8) • Relationship of environmental law to other disciplines (science, economics, ethics, philosophy and religion) • Challenges in teaching environmental law to non-law students <p>Q & A (5mins.)</p>	Rob Fowler
2:40 – 3:00	Participants to divide into 5 groups for a free form discussion with local trainers on how the precautionary principle could be implemented in practice in your country	Local trainers
3.00 – 3.30	Tea Break	
4. ENVIRONMENTAL (SPATIAL) PLANNING AND ENVIRONMENTAL IMPACT ASSESSMENT (EIA) LAW		
3.30 - 4:00	<p>Presentation: Overview of environmental (spatial) planning and EIA law</p> <ul style="list-style-type: none"> • Planning law (history, policy, development control, appeals, other measures) • EIA law (history, scope, procedures, public participation, mandate, judicial oversight, strategic EIA) <p>Q & A (5 mins.)</p>	Sandy Paterson
4:00 – 4:30	Participants to divide into 5 groups for discussion with local trainers re relevance of presentation to Cambodia/Laos environmental law, using hypothetical on tourist facility in national park	Local trainers
4.30 – 4.45	Report back by local trainers on discussions within groups	
4:45 - 5:15	Case-study: examination of development proposal involving a judicial decision re operation of EIA legislation: Bakun Dam, Malaysia (20mins presentation + 10 mins Q &A)	Amanda Kennedy

Day 2

28 November 2017

TIME	ACTIVITY	PRESENTER
5 ENVIRONMENTAL PROTECTION LAW		
9:00 – 9:30	Presentation on environmental protection law <ul style="list-style-type: none"> • General v specific environment protection laws • National – v sub-national laws • Scope of environmental protection law • Institutional arrangements • Tools: standards, approvals, licences, orders • Enforcement mechanisms Q & A (5 mins.)	Rob Fowler
9:30 – 9:50	Participants to divide into 5 groups for discussion with local trainers re relevance of presentation to Cambodia/Laos environmental law (using hypothetical again)	Local trainers
9.50-10.05	Report back by local trainers on discussions within groups	
10.05 – 10:45	Tutorial exercise (participants to be allocated to 3 groups with local trainer to lead tutorial discussion; international trainers to observe and contribute as appropriate) (Problem re solid waste management, including mixing of household and medical waste, plus management of sewerage discharges)	All trainers
10.45 – 11.00	Tea Break	
6. PROTECTION OF BIODIVERSITY / NATURAL AND CULTURAL HERITAGE		
11:00 – 11:25	Presentation: <ul style="list-style-type: none"> • Concept of biodiversity and mechanisms for its protection (protected areas, species listings, regulation of trade etc) • concepts of natural and cultural heritage and links between them; • purpose of natural and cultural heritage laws and mechanisms employed to achieve these purposes Q & A (5 mins.)	Sandy Paterson
11:25 – 11:45	Participants to divide into 5 groups for discussion with local trainers re relevance of presentation to Cambodia/Laos environmental law (using hypothetical again)	Local trainers
11.45-12.00	Report back by selected participant from each group	
12:00 – 12.15	Short film on iconic cultural heritage sites in Cambodia/Laos (10 mins.) + debrief on film (5 mins.)	Georgina Lloyd
12.15 – 12:30	“Free form” class discussion: “what in your country is worth protecting in terms of its natural/cultural heritage, why, and how?”	Hoy Sereivathanak Reasey
12.30 – 1.30	Lunch	
7. NATURAL RESOURCES MANAGEMENT LAW		
1.30 - 1.50	Presentation: Overview of natural resources management law: <ul style="list-style-type: none"> • Nature of “dominant” title to natural resources • Mechanisms for allocation of rights to natural resources (permits, licences, title, etc.) • Integrated natural resources management • Public participation in natural resources management 	Amanda Kennedy

	<ul style="list-style-type: none"> • Overview of relevant national measures: <ul style="list-style-type: none"> ○ Land (including indigenous land rights/communal title) ○ Water ○ Forests ○ Minerals and petroleum ○ Fisheries <p>Q & A (5 mins.)</p>	
1.50 – 2:10	Participants to divide into 5 groups for discussion with local trainers re relevance of presentation to Cambodia/Laos environmental law (use hypothetical again re indigenous peoples' removal)	Local trainers
2.10 – 2.25	Report back by selected participant from each group	
2:25 – 3:15	<p>Role play (part 1): re site contamination incident</p> <ul style="list-style-type: none"> • Describe nature of role-play exercise and allocate participants to small groups: 5 - 6 persons/role + identify two participants as co-mediators (10 mins.) • Small groups to work on their contribution to the role-play (with local trainers to assist each group) (35 mins.) 	<p>Rob Fowler + Phallack Kong/Khemnguen Pongmala</p> <p>Local trainers</p>
3.15 – 3.45	Tea Break	
8. CLIMATE CHANGE/CLEAN ENERGY LAW		
3.45 – 4.15	<p>Presentation:</p> <ul style="list-style-type: none"> • the science of climate change (causes, impacts) • international mitigation measures (including Paris Agreement) • Use of REDD and flexible mechanisms • INDCs and domestic mitigation measures (carbon tax, emissions trading schemes, clean energy legislation etc.) • Adaptation measures <p>Q & A (5mins.)</p>	Rob Fowler
4.15 – 5.05	<p>Guided brainstorming exercise (full class)</p> <ul style="list-style-type: none"> • participants to address the question of how climate change and clean energy law can best be incorporated in an environmental law course in Thailand (with 3 participants to facilitate the discussion) 	Select 3 participants as discussion facilitators)
5.05 – 5.15	<p>Feed-back session:</p> <ul style="list-style-type: none"> • participant facilitators to reflect on their efforts • class to give constructive feed-back to facilitators • feed-back by trainer to class and facilitators • participants to reflect on feed-back session (reflective journal) 	All trainers
5.15 – 5.30	<p>Distribution of MEA research exercise (5 small groups to be assigned a particular MEA each – CITES, CBD, UNFCCC, World Heritage Convention & Basel Convention):</p> <ul style="list-style-type: none"> • When did Thailand sign/ratify the particular MEA? • What implementing legislation has been adopted? • What are the administrative arrangements for this legislation? • What are the key measures in the implementing legislation? <p>[Groups to present their "assignment" in full class in Session 11]</p>	Rob Fowler

Day 3		29 November 2017	
TIME	ACTIVITY	PRESENTER	
9. ENVIRONMENTAL DISPUTE RESOLUTION AND THE ROLE OF THE JUDICIARY			
9:00 – 9:30	Presentation: The role of the judiciary in the area of environmental law	Introduction of guest presenter: Phallack Kong (5 mins.) Guest presenter: Justice Kong Tarachhath, Supreme Court of Cambodia (25 mins.)	
9:30 – 9.50	Full class Q & A with guest presenter		
9.50-10.10	Presentation: overview of environmental litigation from a comparative perspective <ul style="list-style-type: none"> • Public interest litigation (judicial review, civil enforcement) • administrative remedies and merits appeals • class actions • specialist environmental courts • publication and enforcement of judgments 	Amanda Kennedy	
10.10 - 10.30	Comments by Justice Kong Tarrachhath, followed by Q & A	Justice Kong Tattachhath	
10.30 – 11.00	Tea Break		
10. RIGHTS IN ENVIRONMENTAL LAW			
11.00 – 11.20	Presentation: <ul style="list-style-type: none"> • substantive and procedural rights in environmental law (using a comparative approach): <ul style="list-style-type: none"> - human rights and the environment - environmental constitutionalism - Aarhus Convention and procedural rights - Emerging recognition of rights for nature/public trust doctrine 	Sandy Paterson	
11.20 - 11.40	Comments by Justice Kong Tarrachhath, followed by Q & A	Justice Kong Tarrachhath	
11.40 – 11.50	Presentation on role of environmental law clinics (10 mins)	Sandy Paterson	
11.50 – 12.00	Presentation on clinical programs at PUC Law School (10 mins.)	Phallack Kong	
12.00 – 12.30	Three small groups for a structured discussion to answer the following question: What potential is there for an environmental law clinic in your country? (15 mins.) Feedback from each group by a selected participant (15 min)	Phallack Kong to moderate	
12:30 – 1.30	Lunch Break		
11. INTERNATIONAL ENVIRONMENTAL LAW			
1.30 – 2.10	Presentation: <ul style="list-style-type: none"> - International law and its relationship with IEL - Sources and key concepts of IEL - Distinction between hard and soft law - Key international institutions - Summary of major MEAs - Environmental crime under IEL - The role of the law moot as a teaching tool Q & A + discussion re moot (15 mins.)	Rob Fowler	

2:10 – 2:30	Plenary discussion: what is the process for ratification of treaties in your country?	Phallack Kong (Cambodia) TBA (Laos)
2.30 – 3.00	Research exercise: National implementation of MEA's : groups to present their written "research assignment" in full class (5 X 5 minutes each) Class discussion (10 mins.)	Rob Fowler to moderate
3.00 -- 3.30	Tea Break (and final preparation for role-play)	
12. ALTERNATIVE APPROACHES TO ENVIRONMENTAL DISPUTE RESOLUTION - ROLE-PLAY EXERCISE		
3:30 – 4:30	Participants to engage in various roles, as previously allocated, for purposes of conducting a simulated mediation exercise + reflection on legal issues raised at conclusion of role play	Phallack Kong + 1 participant (to be selected) to act as co-mediators
4.30 – 5.00	Class discussion: <ul style="list-style-type: none"> • feedback on the process, including some reflections and critique of the value of mediation to resolve environmental disputes (20 mins) • Short class discussion: participants to reflect on whether and how they might incorporate a role play into an environmental law course. (10 mins) 	All trainers Hoy Sereivathanak Reasey to moderate

Day 4		30 November 2017	
TIME	ACTIVITY	PRESENTER	
13. REGIONAL ENVIRONMENTAL LAW			
9:00 – 9.30	Presentation: ASEAN and other regional environmental law systems (25 mins) Q& A (5 mins.) (RF to send current presentation to PK to review Mekong section)	Rob Fowler	
9.30-10.30	Presentation (2 X 15 mins) and class discussion (2 x 15 mins) of two case-studies on trans-boundary pollution: <ul style="list-style-type: none"> • Timor Sea Montara oil spill • Protected areas management in a trans-boundary context: Great Limpopo Transfrontier Park 	Rob Fowler Sandy Paterson	
10.30 – 11.00	Tea Break		
14 DESIGNING AN ENVIRONMENTAL LAW COURSE (PART 1) – REVIEW OF TEACHING METHODOLOGIES			
11:00 – 11.10	Introduction: Designing an Environmental Law Course – Methodology Options	Amanda Kennedy	
11.10 – 11.40	Plenary discussion of technology-based approaches: <ul style="list-style-type: none"> - Use of electronic resources as a teaching tool - Comparative video-conference teaching 	Amanda Kennedy (+ PK/KP to add brief comment re Cambodia/Laos)	
11:40- 12.30	Seminar: <ul style="list-style-type: none"> • Review and discussion of teaching methodologies used in the course, including use of reflective journals maintained during the course by participants (lectures, seminars, tutorials, group work, class presentations, role-play, etc.) • Discussion on lecturing skills (divide into 3 seminar groups to discuss challenges in using particular methodologies (25 mins.); report back from groups (15 mins.); and plenary seminar-style discussion (10 mins.))	Local trainers to lead seminar groups Khemnguen Pongmala to moderate	
12.30 -1.15	Lunch break and Preparation for Field Trip		
15 & 16 FIELD TRIP (ANGKOR CENTRE FOR CONSERVATION OF BIODIVERSITY (ACCB)) & COURSE DINNER			
1.15 – 1.30	Field Trip Presentation: <ul style="list-style-type: none"> • Distribution and explanation of information materials • Safety/security briefing 	Georgina Lloyd	
1.30 - 2.30	Travel by bus to field trip site – Kbal Spean, Phnom Kulen National Park		
2.30 – 3.00	Briefing on field trip issues	Georgina Lloyd Michael Mayerhoff, Project Manager, ACCB	
3.00-4.30	Tour of ACCB		
4.30 – 5.30	De-briefing session (at training venue): <ul style="list-style-type: none"> • Discussion of legal and policy issues arising from field trip subject-matter • discussion of field trip as a teaching methodology, including rationale, logistical considerations, safety issues, and function of the de-brief 	All trainers + Georgina Lloyd + Michael Mayerhoff	
5.30-6.30	Return by bus to dinner venue		
6.30 – 8.30	Course Dinner at Malis Restaurant, Siem Reap (to be confirmed with ADB)		

Day 5		
1 December 2017		
TIME	ACTIVITY	PRESENTER
17. DESIGNING AN ENVIRONMENTAL LAW COURSE (PART 2) - THE ROLE OF ASSESSMENT & REVIEW OF ASSESSMENT OPTIONS		
9:00 – 9:15	Presentation: Role of assessment <ul style="list-style-type: none"> • The need for assessment • Linking learning to assessment (learning outcomes) • Constructive feed-back (oral and written) • Assessment options 	Sandy Paterson
9:15 – 9:30	Presentation: Assessment options: <ul style="list-style-type: none"> • Prescriptive v consultative assessment schemes • Oral v written assessment • Examination v written assignment (including nature of examination (e.g., take home?)) • Class presentations (individual v group assessment) • Problem-based v essay-style questions v multiple choice questions • Self-assessment v peer-assessment 	Sandy Paterson
9.30 - 10:00	Participants to be divided into five groups to discuss their preferences for assessment options (free-form, self-directed discussion)	
10.00 – 10.30	Report back from groups by selected participants (5 mins. each group) and plenary discussion	Khemnguen Pongmala to moderate
10.30 – 11.00	Tea Break	
18. DESIGNING AN ENVIRONMENTAL LAW COURSE (PART 3) – DESIGN EXERCISE		
11:00 – 12:30	Participants to work individually on course design outline that addresses: <ul style="list-style-type: none"> - Course content (areas of environmental law to be taught); - Use of different teaching methodologies; and - assessment options as covered in the TTT course. Prepare a course outline for a 14(?) week course, then a more detailed plan of course content and teaching methodology for 2-3-weeks.	Rob Fowler to coordinate
12.30 – 1.30	Lunch break	
19. DESIGNING AN ENVIRONMENTAL LAW COURSE (PART 4) – PRESENTATION of COURSE DESIGNS +		
1.30 – 2.00	Presentation by participants of their course outlines and feedback in small groups of 3 (10 mins each)	All trainers
2.00-2.30	Plenary free-form discussion: Participants to ask questions or comment on design challenges identified.	Amanda Kennedy + PK + KP
2.30 – 3.00	<ul style="list-style-type: none"> • Description of the IUCN Academy of Environmental Law • Description of the IUCN World Commission on Environmental Law 	Winnie Carruth
3.00 – 3.30	Tea Break	
20 CLOSING SESSION : COURSE OUTCOMES & REVIEW		
3.30 – 3.45	Champions Session: Creation of Environmental Law Champions Network	Cristina Velex/Joyce Melcar Tan, ADB
3.45-4.15.	Plenary free-form discussion of course outcomes/in-country networking for Cambodia and Laos – Where to next?	All trainers (separate groups for Cambodia + Laos)
4.15-4.30	Completion of Course Evaluation forms by participants	Winnie Carruth
4.30 - 5.00	Closing Ceremony: <ul style="list-style-type: none"> • presentation of Course Certificates • closing speeches 	All trainers

