

STRENGTHENING CAPACITY FOR ENVIRONMENTAL LAW IN THE ASIA-PACIFIC : DEVELOPING ENVIRONMENTAL LAW CHAMPIONS
Siem Reap, 27 November - 1 December 2017

SESSION 6: BIODIVERSITY & HERITAGE LAW

Presented by Prof Alexander Paterson
University of Cape Town



OVERVIEW OF THE SCOPE/CONTENT SESSIONS

- Introduction for environmental law
- Environmental (spatial) planning & EIA law
- Environmental protection law
- Biodiversity and heritage law 
- Natural resources management law
- Climate change/clean energy law
- Environmental dispute resolution
- Rights in environmental law
- International environmental law
- Regional environmental law

PURPOSE OF THIS SESSION

Biodiversity Law

overview

CONTENT

insight

Natural & Cultural Heritage Law

Structured Group Discussion

formats

Films/Documentaries

methodology

Free Form Class Discussion

CONTENT

2 MAIN PARTS



Biodiversity law

concepts

purpose

legal mechanisms



Natural & Cultural Heritage Law

concepts

purpose

legal mechanisms

BIODIVERSITY LAW

- **Concepts**
 - Biodiversity
 - Genes, Species & Ecosystems
- **Purpose**
- **Legal Mechanisms**
 - Biodiversity Planning
 - Protected areas
 - Listed species & ecosystems
 - Regulation of Trade
 - Control of AIS
 - Bioprospecting

CONCEPTS

“biodiversity”

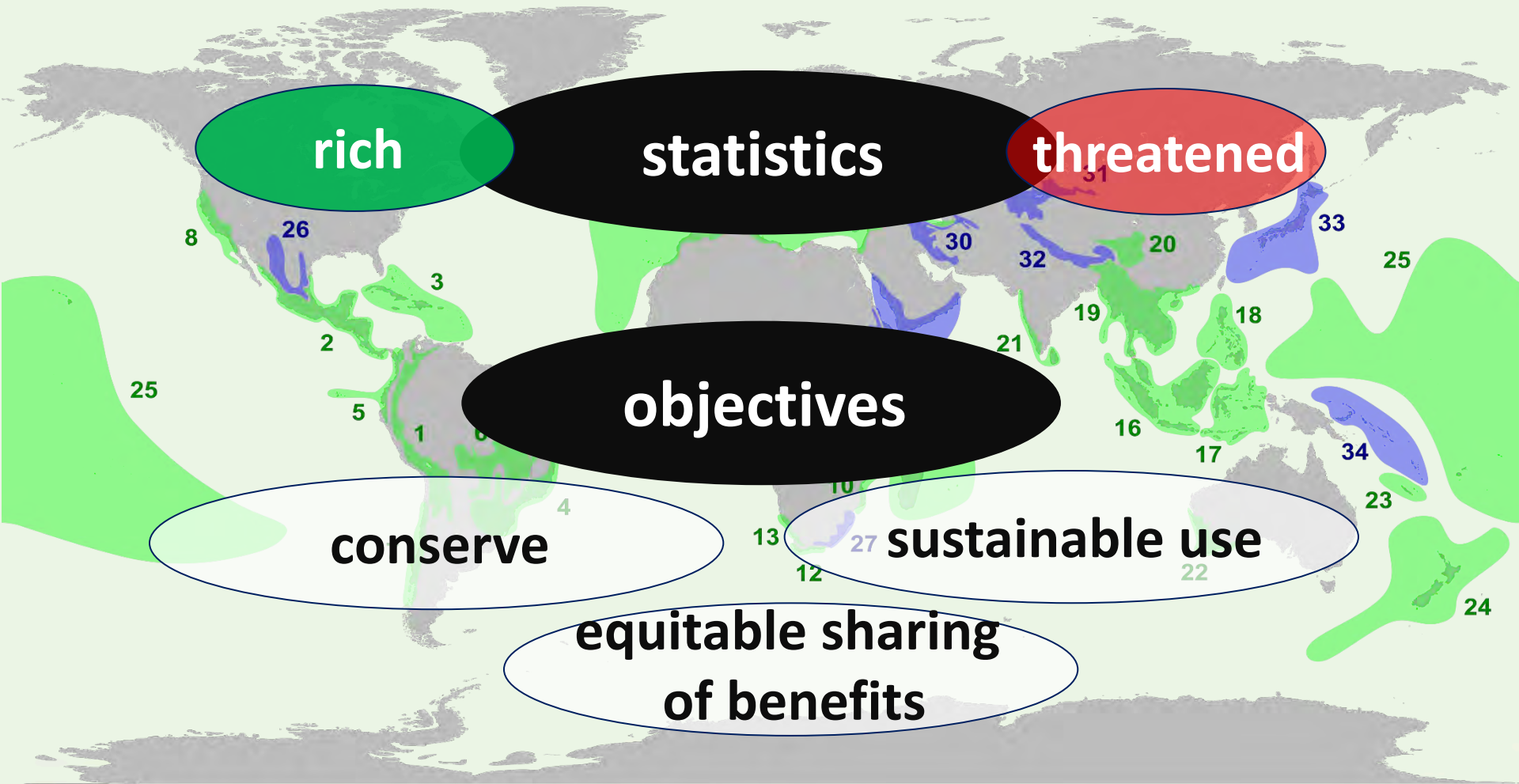
‘the variability among living organisms from all sources including, inter alia, marine and other aquatic ecosystems and species and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems’

genetic diversity

species diversity

ecosystem diversity

PURPOSE



LEGAL MECHANISMS

a diversity of issues

biodiversity planning

protected areas

listed species & ecosystems

regulation of trade

control of AIS

bioprospecting

BIODIVERSITY PLANNING

key issues for the law

nature of the plans

purpose of the plans

content of the plans

who prepares the plans

implementation

alignment



PROTECTED AREAS



LISTED SPECIES & ECOSYSTEMS

key issues for the law

planning to identify

listing process

management plans

regulation of activity

permitting

public voluntary programmes

REGULATION OF TRADE

key issues for the law

application of CITES

management authority

scientific authority

regulation of import

regulation of export

permits & certificate



CONTROL OF ALIEN INVASIVE SPECIES

key issues for the law

alien species

definitions

invasive species

prohibited activities

permitted activities

risk assessment

duty of care

monitoring & reporting

BIOPROSPECTING

key issues for the law

definitions

prior informed consent

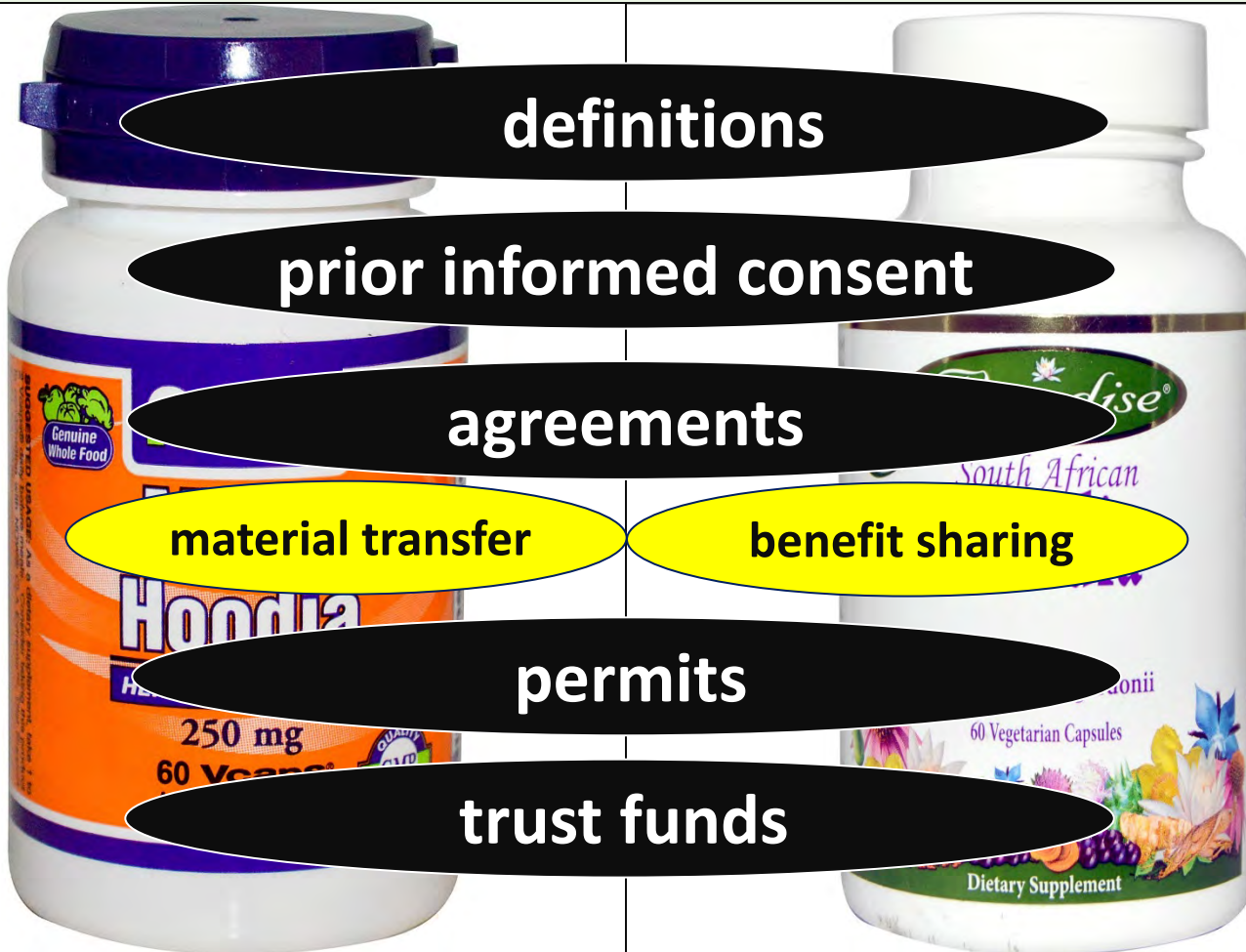
agreements

material transfer

benefit sharing

permits

trust funds



LEGAL MECHANISMS

a diversity of issues

biodiversity planning

protected areas

listed species & ecosystems

regulation of trade

control of AIS

bioprospecting

CONTENT

2 MAIN PARTS



Biodiversity law

concepts

purpose

legal mechanisms



**Natural & Cultural
Heritage Law**

concepts

purpose

legal mechanisms

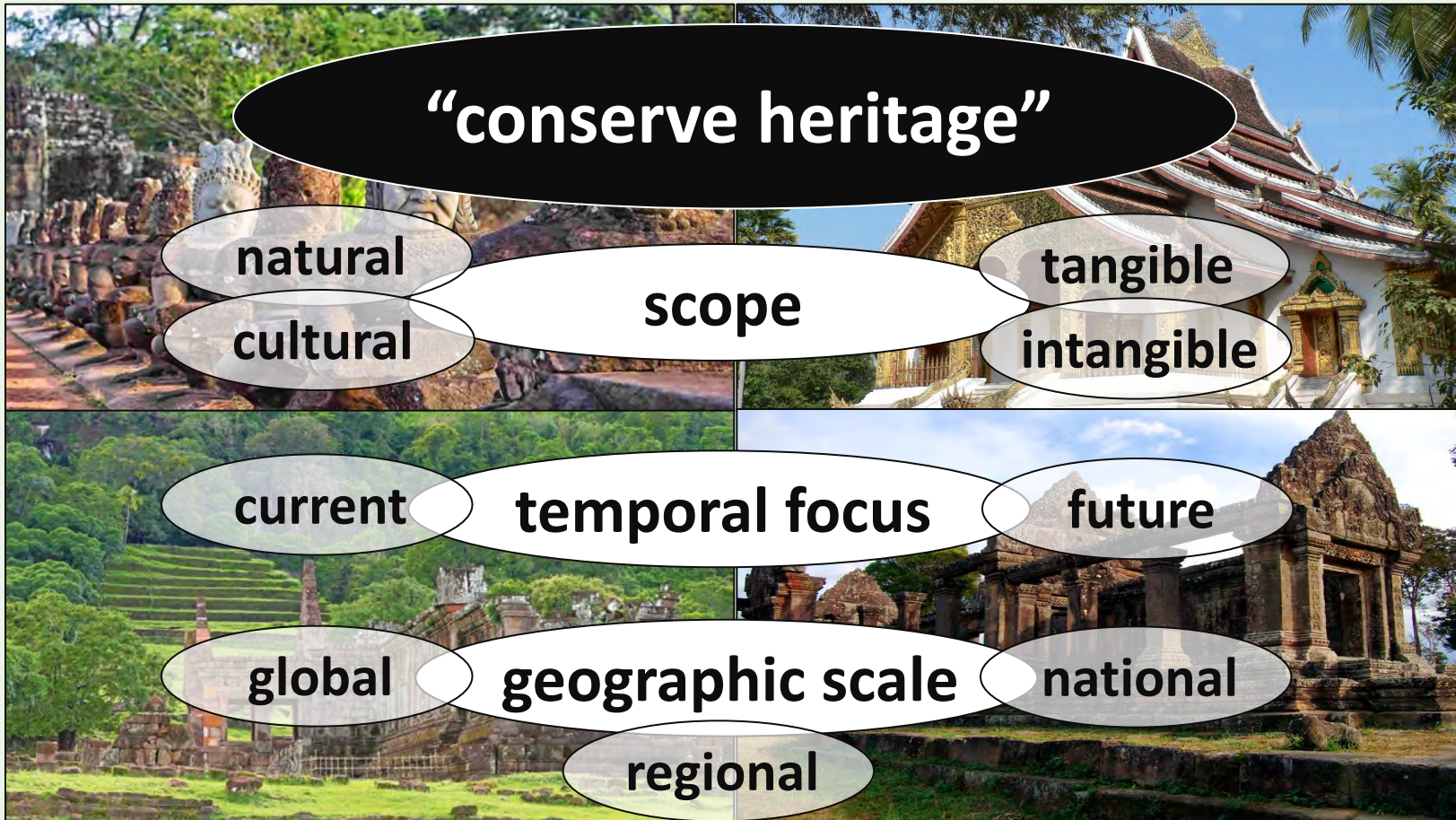
NATURAL & CULTURAL HERITAGE LAW

- Terminology
 - Natural & Cultural Heritage
 - Tangible & Intangible Heritage
- Purpose
- Legal Mechanisms
 - Heritage Objects
 - Heritage Sites/Areas
 - Buffer zones
 - Planning
 - Permitting
 - Restoration/Rehabilitation

CONCEPTS



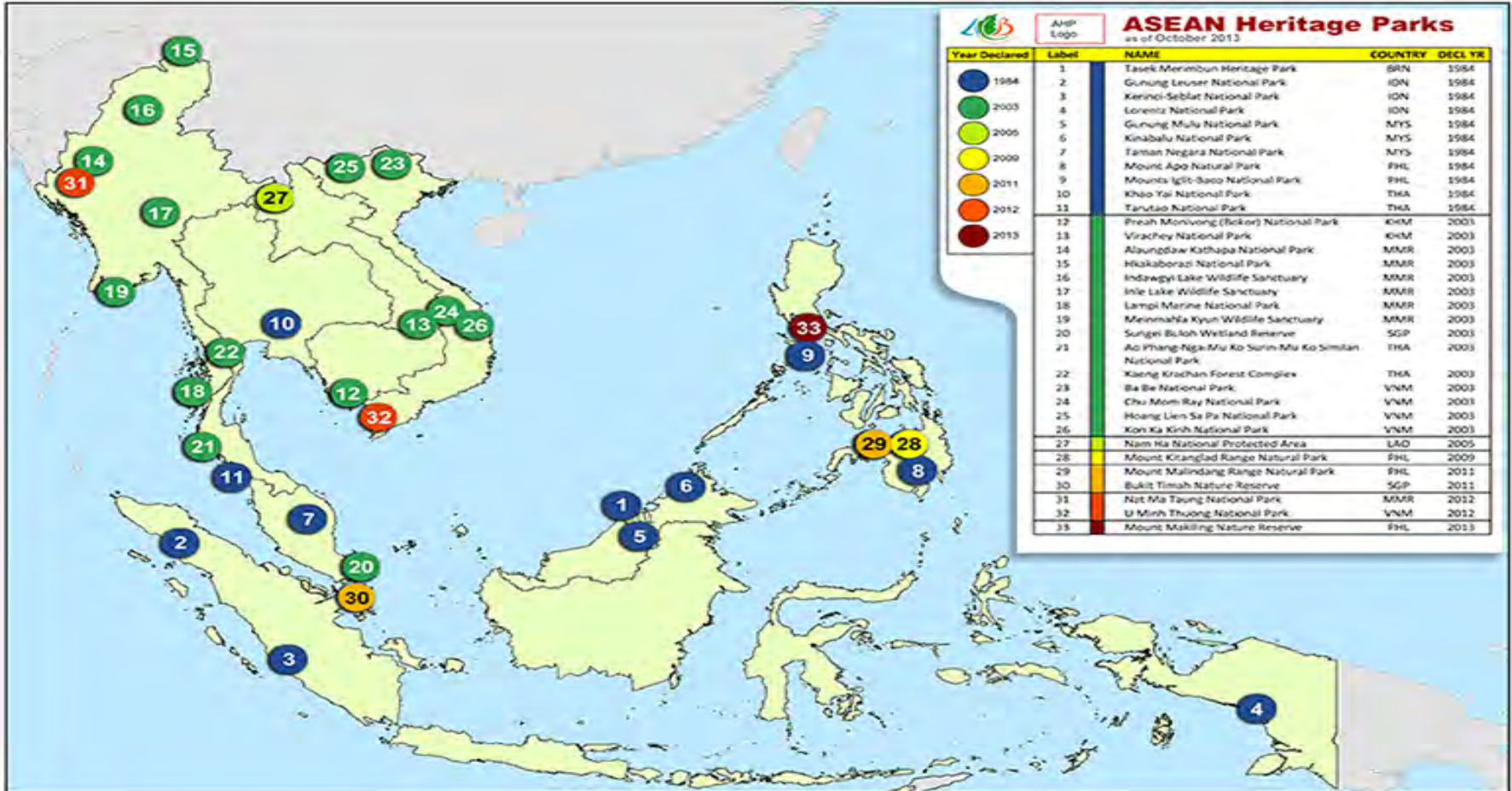
PURPOSE



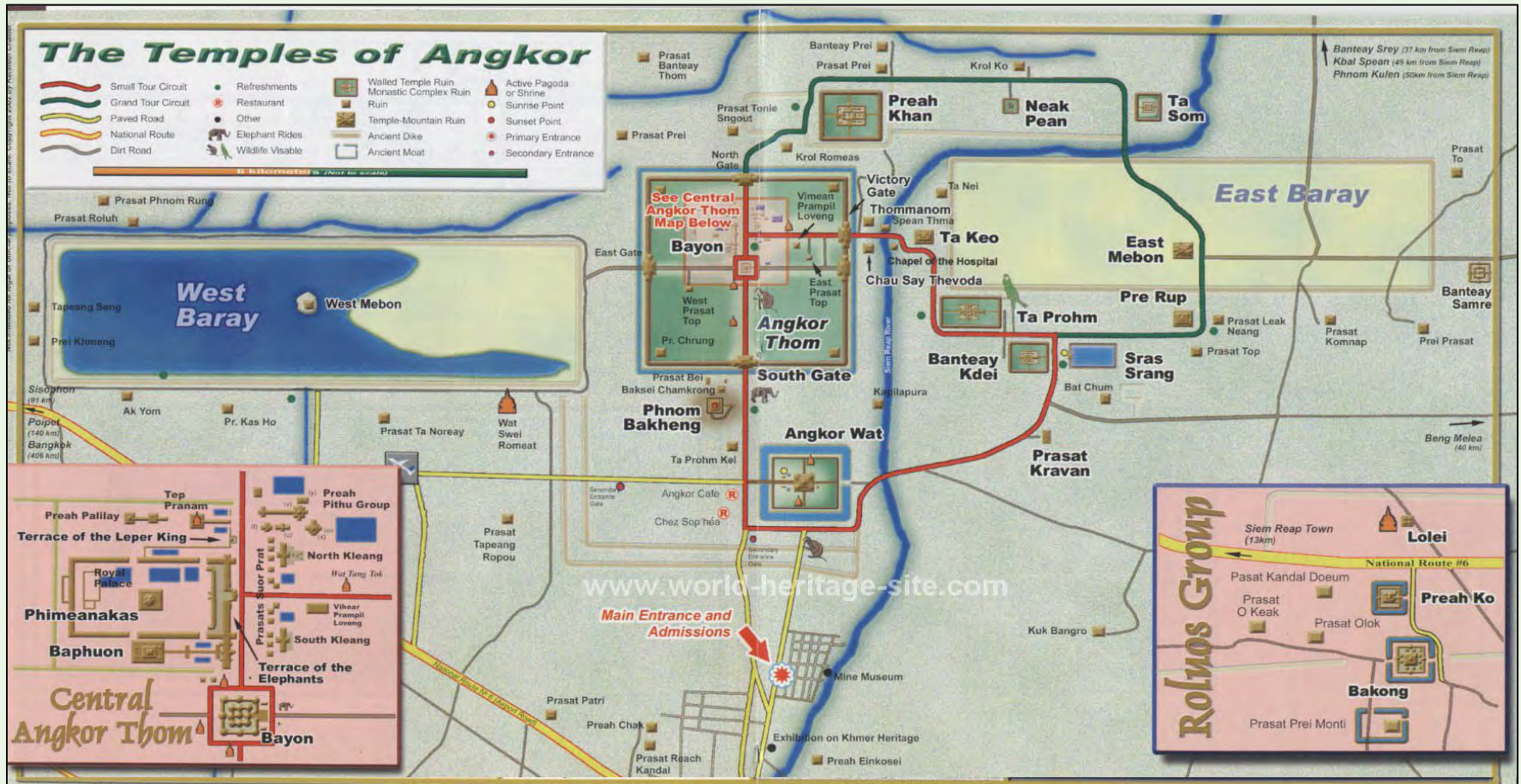
SCALE (GLOBAL)



SCALE (REGIONAL)



SCALE (LOCAL)



LEGAL MECHANISMS

“a diversity of options”

heritage objects

heritage sites/areas

buffer zones

planning

permitting

restoration/rehabilitation

CONTENT

2 MAIN PARTS



Biodiversity law

concepts

purpose

legal mechanisms



**Natural & Cultural
Heritage Law**

concepts

purpose

legal mechanisms

INTERNATIONAL & REGIONAL CONTEXT



Biodiversity

Convention on Biological Diversity

CITES

Convention on Migratory Species

Ramsar Convention

UN Convention on Law of the Sea



Natural & Cultural Heritage

UNESCO World Heritage Convention

Intangible Heritage Convention

ASEAN Declaration on Heritage Parks

PURPOSE OF THIS SESSION

Biodiversity Law

overview

CONTENT

insight

Natural & Cultural Heritage Law

Structured Group Discussion

formats

Films/Documentaries

methodology

Free Form Class Discussion