



Developing Environmental Law Champions

Strengthening the Capacity For Environmental and Climate Change Laws
in Asia and the Pacific



Session 6: Environmental Law Engagement Programs

Professor Rose-Liza Eisma-Osorio
University of Cebu

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What this Session is About

Session Topic:

- Learn about selected academic programs on environmental law, particularly, moot court competitions

Teaching Methodology:

- Understand how you can incorporate moot court learning activities in your courses for the benefit of students
- Illustrate how the classroom experience can be enhanced through interactive moot court sessions



Learning Outcomes



Mooting: What is it?

- Moot court simulates a court hearing (usually an appeal against a final decision), in which participants analyse a problem, research the relevant law, prepare written submissions, and present oral argument. Moot problems are typically set in areas of law that are unsettled or that have been subject to recent developments. They usually involve two grounds of appeal, argued by each side. (www.law.ox.ac.uk)
- Mooting is used as a tool to teach advocacy skills.
- Recently, moots are seen as an opportunity for students to critically engage with ethical issues, and professional and personal values



Practice Meets Theory: Using Moots as a Tool to Teach Human Rights Law

Paula Gerber and Melissa Castan

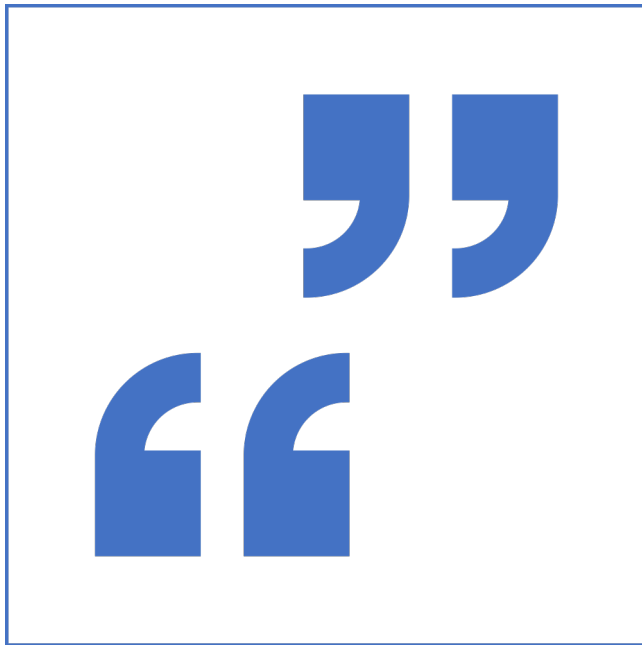
Introduction

The international community, through the United Nations, strongly advocates that states must provide their people with human rights education (HRE). This is reflected in Article 26(2) of the Universal Declaration of Human Rights, Article 13(1) of the International Covenant on Economic, Social and Cultural Rights and Article 29(1) of the Convention on the Rights of the Child, to name just a few of the international law provisions relating to HRE. More recently, the international push for HRE has escalated with the General Assembly proclaiming the Decade for Human Rights Education (1995-2004) and the subsequent World Programme for Human Rights Education (2005-ongoing),¹ and adopting the Declaration on Human Rights Education and Training.²

These international commitments aside, empirical research has found that many educators struggle with *how* to educate students about human rights.³ This article explores how moots can be an effective tool to do that, and analyzes three successful human rights mooting competitions from around the world for the purpose of highlighting best practices. This is an important



Mooting as a Tool for Teaching Legal Doctrine



“There is a vast difference between the knowledge of the man who knows about a thing and that of the one who knows the thing itself.”

- Gavin W. Craig, Moot Courts as Part of a Law School Curriculum, 3 Am. L. Sch. Rev. 271, 271 (1911–1915).



Bringing moot into an environmental law classroom

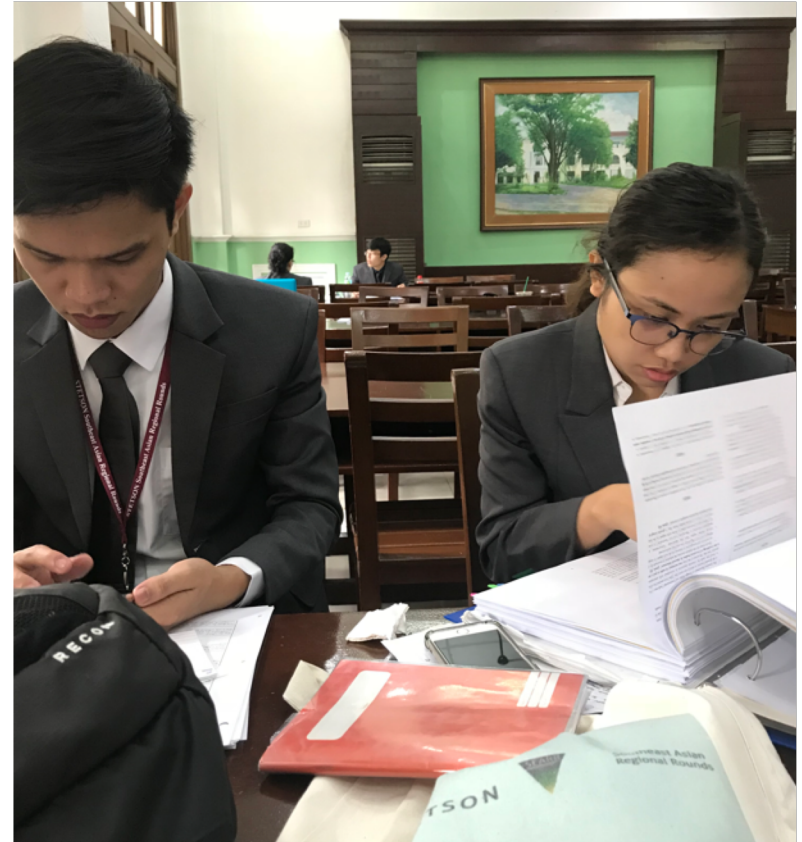
(1) to engage students with and think deeply about interesting and topical environmental issues and applicable law so that they can respond to probing questions,

(2) to enhance their advocacy, legal research and writing skills,

(3) to work closely with and learn from their peers,

and

(4) to learn the substantive environmental principles as well as their practical application.



How do we apply moot court as teachers?

- Provide an experiential learning, giving law students the chance to translate theory into practice.
- Apply environmental law to real life problems, rather than as mere abstract concepts articulated only in UN treaties and domestic legal instruments and jurisprudence.
- Aside from competitions, moots can be organized on a smaller scale at the classroom or school.

