

# Environmental Law Clinics

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**ENVIRONMENTAL LAW TEACHERS ONLINE TRAINING PROGRAM**

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## Law Clinics

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- Law clinics enable students to practice didactic and experiential skills.
- Provide practical experience and understanding of real-world legal issues and the application of the law in these cases.
- Can be linked to a credit course unit.
- Law clinics provide a valuable contribution to environmental rule of law particularly through supporting principle 10 rights or access to information and access to justice.
- Law clinics can also support legal research, the development of legal handbooks, raise awareness on core legal issues and support policy development.

## Environmental Law Clinics in Asia Pacific

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- Specialised law clinics are vital in the environmental field, as knowledge of environmental law and indeed environmental or earth sciences (which is vital for sufficient understanding of the facts of a case) may not be sufficient amongst the broader legal profession or be well represented in law firms.
- They are also vital as there is often inadequate access to environmental lawyers particularly for local communities and communities at greater risk of environmental harm.
- Law clinics can advance social and environmental justice

# UNEP support to environmental law clinics

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## First environmental law clinic opens in Wuhan University, China



Created in March 2018, the [Wuhan University Environmental Law Clinic](#) is the first of its kind in China to focus on training and supporting law students and other stakeholders in the practice and theory of public interest environmental litigation. Established within the scope of the

## Advantages of law clinics

- Law clinics can enable student to research and provide legal support to cases addressing core environmental issues such as;
  - Air pollution
  - Mining
  - Illegal fishing
  - Infrastructure development
- Law clinics can build social and environmental consciousness amongst students.



<b>Objectives and Structure</b>	ELC are mostly located within universities and are connected to a law school. Some might be the center separate from law school, and some are affiliated with the structure of law school and rely on the law school administration
<b>Link to Law School Curriculum</b>	It is suggested that having the ELC embedded within a law school curriculum would be the most effective model. However, in Asia, law schools have many compulsory subjects. For example, in Thailand, the law schools' curriculum is generally four years of study, including 135 to 145 credits in public universities and private universities. Besides studying law, law school students may devote their time to pro bono or other activities and internships. For an ELC to be effectively integrated within a curriculum, it is necessary for the management of the law school to review the role of ELC and its representation in the curriculum.
<b>Role of Law Professors and Staff</b>	Currently, university professors' duties depend upon key performance indicators such as teaching, research, academic service, to name a few. Due to time constraints on staff and position expectations, it is important to consider how the ELC will factor in the law professor's position. Will it be a paid or additional unpaid expectation or depend upon staff interest? Moreover, how are general administration and staff involved in running an ELC effectively?
<b>Scope of Legal Services</b>	In various legal clinics and ELC, there are wide ranges of legal services, for example, consultation, research, information, data center, law reform, and litigation.
<b>Networking and Partnerships</b>	The partnerships needed may be dependent upon the services offered by the clinic. If the ELC conducts lawsuits and litigation and does not have its own lawyer, then a partnership with a law firm would be necessary. Whereas partnerships with scientists, communities, government, and NGOs may be necessary if the ELC undertakes field research and legal advocacy.
<b>Funding</b>	The operation cost of an ELC is a crucial factor that may define the scope of legal services or, in turn, limit the functionality of the ELC. Funding also differs between state universities and private universities due to government funding. For legal aid and human rights advocacy work, there may be potential to seek external financial support. Partnerships with law firms may also provide potential funding sources.



## Environmental Law Clinic Models

- 1. Law Reform Model: Environmental Law Centre, University of Victoria, Canada (Uvic ELC)
- 2. Litigation Model: Environmental Law & Justice Clinic, Georgetown University, USA (GEJC)
- 3. Consulting Model: Environmental Law Clinic of Wuhan University (ELCWU)



# Clinics supporting Public Interest Litigation



## Enhancing the role of Environmental Public Interest Litigation to Advance Environmental Rights in Southeast Asia

### Speakers

- Georgina Lloyd, Regional Coordinator, Environmental Law and Governance, United Nations Environment Programme
- William Ward, EWMI, Former Regional Counsel, USEPA
- Lin Yanmei, Senior Research Professor, Vermont Law School
- Windu Kisworo, Indonesia Center for Environmental Law
- Hasminah Paudac-Tawano, Legal Advisor, Greenpeace Southeast Asia - Philippines
- Penchom Saetang, Executive Director, Ecological Alert and Recovery Thailand (EARTH)
- Grita Anindarini, Program Director, Indonesia Center for Environmental Law
- Amarin Saichan, Lawyer, ENLAWTHAI Foundation (EnLaw)
- Grizelda Mayo-Anda, Executive Director, Environmental Legal Assistance Center (Philippines)
- Suntariya Muanpawong, Deputy Chief Justice of Region 5, Thailand Court of Justice

### Moderators

- William (BJ) Schulte, EarthRights International
- Ben Hardman, EarthRights International
- Roger Guzman, Asian Research Institute on Environmental Law
- Matthew Baird, Asian Research Institute on Environmental Law

**WORKSHOP**  
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## UNEP support for Chiang Mai University Environmental Legal Clinic

1. **Consulting and Law Reform Model**
2. Accredited Course-Elective
3. Public interest environmental cases
4. Under Law School
5. **Fund by External and internal funding**



## Challenges faced by Environmental Legal Clinics

- Life cycle of legal cases vs university semester
- Supervising capacity
- Case selection criteria
- Funding sustainability
- Safety and risks around sensitive issues



# Thank you



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