



**THE ROLE OF THE ASIA-PACIFIC CENTRE FOR
ENVIRONMENTAL LAW AND THE
“GERMAN/SINGAPORE...INITIATIVE” AT
“RIO PLUS FIVE”, 1997**

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It is a great pleasure for me personally, and an honour for the Asia-Pacific Centre for Environmental Law (APCEL) to be invited by the German-Singaporean Lawyers' Association (GSLA) to address this Conference. Let me join the others in congratulating GSLA. Its establishment in July 2000 is timely in many ways not the least, I might add, in enhancing cooperation in the area of environment not only between Germany and Singapore but also in the region, as we shall see.

First, I would like to say, in my personal capacity as a GSLA member, and also on behalf of APCEL and the Law Faculty (I am a staff member) that we are proud to have strong links with German lawyers. In 1989, I was invited to spend part of my sabbatical leave at the Max Planck Institute in Freiburg to do research in environmental criminal law – the beginnings of my interest in the subject. It was there that I met Axel, who in 1981 had a stint at the Law Faculty as the first German student under the German Law Student Exchange Programme. In 1997 I had the pleasure of being the Faculty "host" to some German students in the Faculty. I had a tea party for them in my apartment and they all enjoyed themselves that afternoon, as I think it gave them an opportunity to visit a home in another part of the world. Some of the other German exchange students in the subsequent years also came to say "hello" to me when they discovered that I had been to Germany. One of them, Jan, still keeps in touch with me from time to time. Oh yes, I also recall I had a German student in my Commercial Transactions class, and I was impressed with him - he contributed a great deal to class discussions.

There is another 'German' linkage, as it were - APCEL works in close partnership with IUCN-CEL (the World Conservation Union - Commission on Environmental Law) and also with CEL's sister organisation, IUCN - Environmental Law Centre (IUCN-ELC) based in Bonn, Germany. ELC is an outpost of the IUCN headquarters in Gland, Switzerland. The German government is very supportive of IUCN's activities. Indeed, ELC's office in Godesberger Allee, Bonn, is the property of the German government which allowed ELC to occupy the premises free of rent. CEL is one of the six volunteer Commissions of IUCN and was established in 1960 to promote a progressive conceptual base for environmental conservation law. I am privileged to be a member of the IUCN – CEL Steering Committee and also its Vice Chair for East Asia. I apologise for giving you this rather lengthy German-Singapore 'environmental' connection but I think it is relevant in the context of today's conference.



When I was asked by Dr Axel Reeg, its President, to give a short presentation on APCEL I thought it would be a good opportunity to speak on the four-nation global initiative, headed by German Chancellor Helmut Kohl at "Rio Plus Five" in 1997 (so-called because the Special Session of the UN General Assembly, New York, 23 - 26 June 1997 was held five years after the Rio Summit, in 1992, chaired by Professor Tommy Koh). For the purpose of this conference, I will refer to it as the "German/ Singapore...Initiative". What is the role of APCEL in this initiative?

APCEL was established in 1996, at the initiative of the Faculty of Law (NUS) and the IUCN-CEL together with collaboration of the United Nations Environmental Programme (UNEP). One might say that APCEL was one of the outcomes of the United Nations Conference on Environment and Development, also known as the Rio Summit. Agenda 21 (an output of UNCED is a comprehensive blueprint for environmental action for the 21 century) called for centres of excellence in environment to be established in order build endogenous capacity to facilitate the implementation of the many multilateral conventions on environment (I will elaborate on this, *infra*). APCEL was an answer to the Rio call, as among the objectives of APCEL are:

To serve as a regional training centre for the teaching of environmental law;

To organise conferences, seminars and other programmes on environmental issues;

To establish and develop a collection of materials on environmental law and policy, and maintain an electronic database; and

To cooperate and collaborate with law schools institutes centres and such other organisations to further its objectives.

It is served by an Executive Committee of eleven members who are all members of the teaching staff of the Faculty of Law, NUS. It has an Advisory Committee co-chaired by Tommy Koh and Dr Parvez Hassan (former Chairman of IUCN- CEL. The members of this Committee represent some eleven countries in the world, including Dr Wolfgang E Burhenne from Germany.

APCEL was established four years after the Rio Summit conference in 1992. As the establishment of APCEL is directly relevant to some of the programmes and plans in Agenda 21, a word may be said of this Earth's Action Plan of the 21st century (hence, "21"). The Agenda contains a set of comprehensive integrated strategies and detailed integrated programmes "to halt and reverse the effects of environmental degradation and to promote environmentally sound and sustainable development in all countries." (Nittin



Desai, Under-Secretary-general for Policy Coordination and Sustainable Development in Forward, Nicholas A Robinson, Ed, *and Agenda 21: Earth's Action Plan*). It comprises 40 chapters and is divided into four main areas, ie, Social and Economic Dimensions (which includes promoting sustainable human settlement development), Conservation and Management of Resources for Development (covering conservation of biodiversity, protection of the oceans, supply of fresh water resources, sound management of toxic chemicals, management of hazardous wastes), Strengthening of the Role of Major Groups (role of non-governmental organisations), and Means of Implementation (promoting education, public awareness and training, international cooperation for capacity-building in developing countries).

Most, if not all, of the programmes and plans in Agenda 21 have to do with “sustainable development” – a concept which gained legitimacy in the Brundtland Report 1987 - the United Nations World Commission on Environment and Development, chaired by the then Norway’s Prime Minister Gro Harlem Brundtland. At Rio 1992 the concept of sustainable development was given the stamp of approval. As APCEL is an institution which can, through its capacity building activities, contribute to and facilitate in the process of turning unsustainable development into a sustainable one, I shall elaborate a little on what sustainable development means. Some of you may be very familiar with this term, and so I hope will bear with me. (I have heard that those not familiar with the term have thought that it means economic viability). Sustainable development is the cornerstone of “environment and development” and is still an evolving concept. The Brundtland Report defined it as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.” It contains within it two concepts:

- the concept of ‘needs’, in particular the essential needs of the poor, to which overriding priority should be given; and
- the idea of limitations imposed, by the state of technology and social organisation, on the environment’s ability to meet present and future needs.

Many treaties have adopted the term. The concept has been interpreted to mean first, the need to preserve natural resources for the benefit of future generations (the principle of intergenerational equity); second, the exploitation of natural resources must be “prudent”, “rational”, “wise”, and “appropriate” (The principle of sustainable use); third, the equitable use of natural resources, which implies that the use by one state must take into account the needs of other states (equitable use, or intragenerational equity); fourth, the need to ensure that environmental considerations are integrated into economic and other development plans. Some specific questions relating to sustainability are, for example: is the method of clearing land in Indonesia for palm oil



plantations sustainable when it causes the so – called “Indonesian Haze” that has not only spelt economic disaster in the region but has destroyed the rich biodiversity in Indonesia? Is over-fishing and purse – net fishing sustainable?

Let us now turn to the impact of the “German/Singapore... Initiative” (it was a 4- nation initiative, ie, Germany, Singapore, Brazil and South Africa at “Rio Plus Five”) on the role of APCEL. The Initiative was declared at the Special Session of the UN General Assembly, New York from 23 – 26 June 1997 where Chancellor Helmut Kohl of Germany invited Singapore's Prime Minister Goh Chok Tong, Brazillian President Henrique Cardoso, and South Africa's Deputy President Thabo M Mbeku to launch a global initiative "to keep alive the spirit of Rio and to create conditions for a viable future for a growing world population," after making the following declaration:

Five years have passed since the historic Earth Summit. Although significant progress has been made since Rio, much remains to be done. Poverty and environment degradation continue to affect the lives of millions of people in many parts of the world. Global warming, the loss of biological diversity, the spread of deserts, deforestation, the crisis in many of our cities remind us every day of the challenges which confront us. The unsustainable patterns of consumption and production continue to be the major cause of environmental degradation worldwide. This is therefore not an occasion for complacency or mindless celebration. It is, however, also not an occasion for hand-wringing. We should use the occasion to recall the *spirit of Rio*, renew our commitments, and to redouble our efforts to conserve nature and to achieve sustainable development. (Italics added.)

The so-called "Rio Spirit" was to "elaborate strategies and measures to halt and reverse the effects of environmental degradation in the context of strengthened national and international efforts to promote sustainable and environmentally sound development in all countries." (UNGA res.44/228, para 3)

In accepting Chancellor Kohl’s initiative, PM Goh Chok Tong stated that "Only the leadership of a major global economy can renew and reinvigorate the global compact." He underlined the importance of cooperation in solving global problems of sustainable development. The proposals launched by the four partners and called for international action and cooperation are: “Decade for Sustainable Production and Use of Energy”, “Conference on Sustainable Urban Development” and “Environmentally Acceptable Transport.” These are areas not only of relevance and importance to Singapore but also to the global community. To enhance Singapore’s efforts in cooperation PM Goh announced the establishment of the Singapore Technical Assistance Programme for Sustainable Development (STAPSD) for developing countries.



Under STAPSD Singapore funds the training of officials in the region and beyond in various areas of environmental management. The training covers a wide variety of areas relating to environment including "urban industrial environmental management" and "environmental monitoring and assessment". He said: "...we offer the Singapore Technical Assistance Programme on Sustainable Development as a tangible token of our seriousness to promote greater cooperation in sustainable development. We hope that it will encourage the larger and more prosperous countries from the North to fulfill their commitments and join us in what must be a global endeavour."

This is not the first time that Germany and Singapore are cooperating in the field of environmental law. In 1991, the Singapore and German environment ministries cooperated to establish the German-Singapore Environmental Technology Agency (GESTA) to transfer environmental know-how and expertise to the developing countries in the Asia-Pacific region. The activities of GESTA have served as effective fora for discussion on environmental protection strategies and policies among the Asia-Pacific countries: these areas include waste minimisation, wastewater management, solid waste treatment and disposal system, and energy efficiency. These are also areas, which APCEL has included, in its training courses in Singapore and in the region. Thus APCEL's objective of building capacity for environment law and policy in the region covers the sort of environmental law programmes envisaged by Germany and Singapore in GESTA to countries in the Asia-Pacific region.

What about APCEL's current and future role in light of the global four-nation German/ Singapore/ Brazil/ South Africa Initiative at "Rio Plus Five"? First, it is noted that the establishment of APCEL itself has its roots in the Rio Summit 1992, as has the German/Singapore Initiative at Rio Plus Five. So far as APCEL is concerned, the importance of environmental legal education and training was underlined in Agenda 21. For example, in para 8.26 of the Agenda, it was stated that "efforts to provide an effective legal framework for sustainable development should be oriented towards improving the legal-institutional capacities of countries to cope with national problems of governance and effective law making in the field of environment and sustainable development." APCEL was an answer to the call in Rio when in 1993 Dr Parvez Hassan, former Chairman of the IUCN-CEL, and Professor Tommy Koh asked me to approach the Law Faculty to establish a centre of excellence for environmental law in the Asia-Pacific region. It came to fruition in 1996, with its first flagship project on capacity building for environmental law professors in the region.

"Rio Plus Five", *inter alia*, took stock of the developments in environment since the Rio Summit in 1992. At this Session, the four-nation (German/Singapore...) initiative was to "keep up the Rio spirit" and the 115 programme areas in Agenda 21 which emanated from Rio. Capacity building in terms of environmental legal education, training, research and raising public



awareness are some of the measures that will help develop sustainable development. The role of APCEL becomes vital for the transformation of unsustainable development to one that is sustainable and meets the aspirations of Agenda 21 and the principles in the Rio Declaration 1992. Modern environmental law is relatively new, having its beginnings in 1972 with the Stockholm Declaration. Since then there have been numerous environmental law treaties and soft law instruments. Many of these treaties are “framework” in that they are not self- executing and require each country to draft legislation, having regard to their “common but differentiated responsibilities” in relation to the particular instrument. Many developing countries lack the capacity and had made many requests to IUCN to develop their skills to handle these challenges. In June 1993, IUCN–CEL prepared a “Concept Paper” for the then proposed Asia-Pacific Centre for Environmental Law, ie subsequently, APCEL. It stated:

This project is conceived ... to develop the capacities of the Asian–Pacific region to deal with the increasing complex legal and regulatory requirements of the post-UNCED environmental order. The implementation of the emerging vast network of multilateral and bilateral treaty network would require, among others, skills not only to transform these international obligations into domestic ones through drafting new laws but also to monitor and enforce these new laws. The region, unfortunately, is not equipped to handle these challenges. Even today, most of the law schools in the region do not include environmental law in their curriculum.

No one institution can do it alone and the cooperation of other organisations, particularly from developed countries, whether in the form of technical assistance or funding is necessary to carry out the work of capacity building in developing countries as envisaged in Agenda 21. APCEL has been very fortunate in this respect, as it has worked out a very large network of international, regional and local organisations and ministries such as the Singapore Ministry of Foreign Affairs, the Ministry of Environment and the Maritime Port Authority of Singapore. At the official launch of APCEL on 1 July 1996, it signed MOUs with the following organisations: IUCN – CEL on *Capacity Building for Environmental Legal Education in the Asia & Pacific Region*, the IUCN Environmental Law Centre on *Environmental Law Information Systems* and the Centre for Environmental Legal Studies of the School of Pace University on *Cooperation in Teaching and Research in the field of Environmental Law*. More recently, an MOU was entered between APCEL and the Centre for Environmental Law at Macquarie, Sydney on *Cooperation in Teaching and Research in the Field of Environmental Law*. These MOUs have strengthened APCEL’s institutional links.

The most outstanding example of cooperation and collaboration has been given by IUCN-CEL. Under the leadership of Dr Parvez Hassan (former



Chairman) and its current Chairman, Professor NA Robinson, they have together with UNEP jointly organised with APCEL its first flagship project: *Training the Trainers Course on Capacity – Building for Environmental Legal Education in the Asia-Pacific Region*. It obtained funding from the Asian Development Bank for this flagship project. The National University of Singapore also funded this project. The first of its kind in the Asia-Pacific Region and, indeed, the world, sixty three environmental law professors and potential ones from some sixteen countries in the region attended a one-month intensive course, which was held in 1997 and 1998 respectively, at the NUS. The syllabus for the course was carefully crafted over seven sessions of a few days each. It was drafted with the problems and issues of the region in mind and examples were taken from the countries in the region. Support in terms of technical assistance in the provision of resource persons and materials for the course were given by numerous persons and organisations both at home and abroad. In terms of materials, each of the participants was given some twenty books and a pile of some 7,000 pages of materials used in the course. The materials were intended to give them a basic working library, so that they can enhance their environmental law course when they returned to their country. Most of the participants from the underdeveloped or developing countries in the region, for example, Bangladesh, Cambodia, China, Laos, Nepal, Pakistan, Vietnam, etc do not have the basic materials for teaching environmental law. This basic "library" as it were given to them was a boon to their teaching. This Training the Trainers course has had a multiplier effect. Some participants returned to their countries and have reorganised courses to enhance the teaching of environmental law. Many have also revised their curriculum in light of the course in Singapore. Others started environmental law courses in their respective law faculties. In the meantime, the materials that were used in the two courses are in the process of being updated for publication. When published, it will fill a need for teaching and research in environmental law in the region. Some of the participants have organised environmental courses for officials in their countries covering subjects of relevance to those envisaged in the four proposals in the German/Singapore... Initiative.

The above excursus brings us to the role which APCEL currently plays and can play in STAPSD (Singapore's technical assistance programme for sustainable development) envisaged by PM Goh Chok Tong in the German/Singapore Initiative, aimed at helping developing countries implement Agenda 21. APCEL has assisted and is assisting the Ministry of Foreign Affairs in the Singapore Cooperation Programme (SCP) launched in 1991. This is Singapore's programme of technical assistance to developing countries, which includes training in the area of environmental management. Under this programme, APCEL has assisted MFA in organising seven seminars on various areas of environmental management. Six of these seminars were organised jointly with the World Bank Institute under an MOU which Singapore entered into with the World Bank. APCEL's members have also served as resource persons in these seminars. Some of these seminars



cover topics which are directly envisaged under STAPSD such as Urban and Industrial Environmental Management, Pollution Management and Urban Air Quality in Asia. The participants were senior officials and policy makers in the region. APCEL is organising another seminar on Urban and Industrial Management in Asia for MFA later in the year.

The above-mentioned seminars were conducted under the SCP, which is more general in scope. STAPSD is more focused on specific areas of environmental management. APCEL can help shape the direction of STAPSD in order to realise its objectives. It can do so by drafting different modules and programmes for the training of specific groups and sectors such as government officials, policy makers, industry sectors in the region, eg, module on pollution laws and energy; problems of sustainable development, etc. Indeed, it has done so in some of its seminars not only for MFA but also jointly with other organisations. These modules must necessarily cut across disciplines as the very nature of environment management demands. As mentioned earlier, APCEL has a wide network of contacts of international, regional and local organisations and is able to find experts from these various sources to serve as resource persons. They bring with them expert knowledge not only in the area of law but also other disciplines that bear upon the environment.

I shall now consider some of the activities of APCEL which have, indeed, dealt with the global initiative. One of the concrete outcomes of the initiative on sustainable development was a series of regional conferences to promote the exchange of information and facilitate the development and the implementation of strategies and models on sustainable urban development. What is considered “sustainable” in the context of urban development and its connection to other areas of the environment is well put by Achim Grosman in his paper “ Singapore and Germany – Partners in a Global Initiative “ presented at the conference *on Model Cities: Urban Best Practices* held from 19 - 21 April 1999, in Singapore. Referring to the global initiative on sustainable development by Singapore, Germany, Brazil and South Africa, he said:

The global initiative on sustainable development is intended to make a tangible contribution to sustainable development. The initiative concerns various areas such as, the prevention of the adverse effects of climate change, the protection of forests, the sustainable generation of and use of energy, the protection of the oceans and water resources. Given their connection with these questions, sustainable development in the towns and cities of the world is a focus of the initiative.

The contribution of the four countries has resulted in a series of conferences on model cities, culminating in the Global Conference URBAN 21, held in July 2000, Berlin.



Members of APCEL have done research and have participated in a number of conferences and training courses on the topics that Grossman mentioned as relevant to the global initiative:

- Climate Change - an APCEL member was one of the resource persons in a series of Asian Regional Workshops on the United Nations Framework Convention on Climate Change and the Kyoto Protocol. The participants included senior government officials, NGOs, media representatives, academics and industry groups. The Asian Development Bank/ United Nations Environment Program/ Hans Seidel Foundation sponsored the workshops
- Protection of Forests - APCEL members have also done research and delivered papers at a number of conferences on forest fires in the context of the "Indonesian Haze".
- Sustainable Generation of Energy - APCEL members have delivered lectures in an 'Executive Program on Energy Management: Industry Energy Modules', organised by the School of Mechanical & Production engineering of the National Technological Engineering, Public Utilities Board and the Ministry of the Environment.
- Protection of the Oceans and Water Resources - APCEL also has expertise in this area and one of its members has given numerous lectures on these topics. APCEL has also jointly organised with the World Bank Institute and MFA a seminar on Coastal Environmental Management in Asia, February 2001.
- Sustainable Development in Cities - APCEL members have also been active in this area. For example, one of its members participated in a conference on Towards Sustainable Asia, organised by the Musashi Institute of Technology, Yokohama, Japan in December 1997 and presented a paper "Sustainable Singapore: A Model for Satellite Cities". Another member presented a paper at the PECC meeting on Sustainable Cities, "Singapore-Long-Term Urban Environmental Policies". APCEL was also involved in a pre-conference meeting for a forthcoming conference on mega-cities. Here again, APCEL has concerned itself with issues, which are cutting edge on sustainable development as are the concerns of the German/ Singapore/ South Africa/ Brazil global initiative. This initiative spawned a number of regional conferences on model cities designed to formulate guidelines on sustainable urban development. The conference held in Singapore was published and is entitled, *Model Cities: Urban Best Practices* (Vols 1 and 2, edited by Ooi Geok Ling). The series of conferences culminated in the Global Conference URBAN 21, held in Germany.



As already noted, APCEL has concerned itself with the various areas of the environment mentioned in the German/Singapore...global initiative since its establishment in 1996. Indeed, it has developed the necessary expertise such that many of its members are teaching five modules of environmental law offered in the Law Faculty, namely, Marine Environmental Law and Policy, International Environmental Law, Trade, Environment and Labour, Environmental Law (mainly Singapore environmental law), Comparative Environmental Law (jointly with Pace University). It also offers Environmental law to non-law students and will be offering the subject to the Masters of Science in Environmental Management. Its members have also done research in those areas and participated in numerous conferences and seminars on the various areas above-mentioned, for example, the Indonesian forest fires, climate change, marine pollution and sustainable cities – as an example, APCEL has collaborated with other organisations such as Ministry of Foreign Affairs, the International Maritime Organisation/ United Nations Environment Programme/ Maritime Port Authority of Singapore, United Nations Development Programme to organise seminars on marine pollution.

APCEL members have contributed to many training programmes throughout the Asia-Pacific region. Many of its members have served as resource persons in training courses in places such as Bangkok, Chiang Mai, Hanoi, Hong Kong, Kushiro, New Delhi, Shanghai, Surabaya and Pattaya, envisaged by the German/Singapore Initiative. It has also provided consultancy services to the Asian Development Bank and to some governments in the region. APCEL is also researching into some aspects of environmental law in the ASEAN countries including pollution. All in all, since some five years after its establishment APCEL, through its members, has engaged in over 220 activities and has cooperated and collaborated with many international organisations including governments in the region. Many of APCEL's activities synergise with those under the German/Singapore ...Initiative.

The number and variety of activities relating to environmental law in the region underlies the fact that since Rio in 1992 many countries in the region are implementing the many multilateral environmental agreements that they have ratified and are also updating their environmental laws.

Regional centres such as APCEL can contribute to the development of sustainable development. As this concept is developing, all the more that environmental legal education is a pre-requisite for sustainable development. Comparative approaches to environmental law are important in defining the scope and depth of environmental law. APCEL has a role to play to meet the challenges of capacity building. It can facilitate the exchange of experiences on how best to develop skills and make the best use of the current limited expertise in developing countries. In this way, it can play an effective role in environmental legal education and institutional building, so vital in the evolution of sustainable development.



APCEL was the first environmental law centre to be established since Rio. Since then a number of other IUCN - sponsored regional centres have been established. For example, the Centre for Environmental Law Studies, Eurasia (Ecopravo Eurasia) and more recently, the Arab Regional Centre for Environmental Law established by the Faculty of Law, Kuwait University, on 30 September 2000. This Centre was closely modelled on APCEL in that a Law Faculty also established it, as was APCEL. Other regional centres are being planned and sponsored by IUCN-CEL. They are to be located in Brazil and in Africa. All have similar objectives of capacity building in environmental law and answer to the call of Agenda 21. APCEL has again widened its network and can take on the challenges of the "Rio Spirit".

I would like to end by quoting from two very eminent persons in the field of environmental law. The quotations are taken from the opening remarks made by the representatives of IUCN-CEL and UNEP at the 1998 IUCN/APCEL/UNEP Capacity Building in Environmental Legal Education course in Singapore. Professor NA Robinson, Chairman of IUCN-CEL, Gilbert & Sarah Kerlin Distinguished Professor of Environmental Law, Pace University, Co-Director of the Centre for Environmental Legal Studies at Pace University School of Law, New York; and Co-Director of the Singapore training course said:

The drafters of Agenda 21 were not engaged in hyperbole when they wrote ...that humanity is at the defining point in its history. We must organise our societies to eliminate pollution which harms human health, provide adequate and safe drinking water, restore to our urban areas the quality of life that Singapore's "garden city" model shows us can be...

Professor Nick Robinson went on to say:

It is the singular role of the University law teacher to prepare the generation of youthful lawyers to whom falls the responsibility to implement our environmental laws, and to continue building the framework of environmental law on which sustainable development rests. The shortage of trained legal talent has become a serious barrier to effectuating environmental laws. IUCN could have looked to the short term and provided in-service training of governmental lawyers, but others to do some of this. Our task is to reach deeper into the educational system and work with you to bring the world standard of environmental law and management practices to your students. Through your work, the deficit in personnel can be remedied, but more importantly, the tradition and culture of using the law as a means for attaining environmental justice can be done.



The remarks of Charles CO Okidi, one time Professor of Environmental Law and subsequently Task Manager, UNEP/ UNDP/ Dutch joint project on Environmental Law and Institutions in Africa, UNEP ELIPAC, Nairobi, Kenya highlighted the close nexus between environmental conservation and development needs. He went on to say:

It is now firmly clear that environmental considerations are essential for sustainable development. The central theme of Agenda 21 as well as the celebrated Rio Declaration. The challenge now is to think out and to build up the kinds of legal arrangements, which can promote environmental exigencies into development planning and management.

Talking about the challenges of teaching environmental law, he said:

It is a fact that the first generation of teachers of environmental law never took any courses, short or full, in environmental law. ...The slow pace in the development of teaching environmental law is no longer tenable. The present conceptual focus ... dictates that every country requires a critical mass of people, knowledgeable and committed to development and application of environmental law.

As environmental law is a relatively new field of law and as jurisprudence has to be developed, the challenge of research in environmental law will lead to scholarly judgment. Counsel for the plaintiff has an important role to play to guide the court. This has paid off results in many cases in the region, particularly in India, Pakistan and in the Philippines. These cases have contributed to the progressive development of environmental law.

On the challenge of contribution to policy development, Professor Okidi said:

... This region is the home of the sensational newly industrialized countries. There is a big challenge in the promotion of enforcement of and compliance with environmental law as it relates to industries. This is the era of “pollution prevention pays” as well as the movement of “cleaner production technology”.

Other areas of policy development include the problem of urban growth and associated environmental problems, management of fresh water resources. There is therefore great scope for the environmental lawyers in the region.”

Indeed, there is a great scope for environmental lawyers in the region and also a great deal of work ahead. APCEL itself and its members have had a very tight schedule of activities in the region. APCEL members have been involved in numerous activities over the last five years, ranging from organising and participating at conferences and workshops, serving as resource persons in



seminars and workshops, doing consultancy work, assisting in drafting a programme on environmental law for China and researching into various areas of environmental law in the region. This testifies to the tremendous need for expertise that is needed, in particular to assist developing countries and those economies in transition, such as Vietnam, Cambodia, Laos and Myanmar which look to Singapore in the region as a country which despite its throes of industrialization and urbanization in the 1960s and 1970s managed to emerge relatively unscathed from unsustainable development. Indeed, today, its garden city, its pollution control, its drinking water system, its waste management have been regarded by the countries in the region as some of the “best practices” to be emulated and subjects for comparative environmental law in the region.

The “German/Singapore...Initiative” together with other initiatives at the Special Session of the United Nations was, from the perspective of environmental law, as observed by Professor NA Robinson (in his article “Attaining Systems for Sustainability through Environmental Law” (Natural Resources and Environment, Fall 1997, pp 86–88, 140–141) “a milestone on the path charted by Agenda 21.”

APCEL has and will continue to play a role in capacity building in environmental law and raise awareness through teaching, training and research. It can assist the Government of Singapore in carrying out its technical assistance programme in cooperation with other organisations. Funding is required to carry out these programmes. Some German foundations, such as the Hanns Seidel Foundation, have provided financial assistance for participants from developing countries to attend seminars and workshops on environmental management. The Foundation is headquartered in Munich, Germany and has a Representative Office in Singapore.

Environmental law is one of the most dynamic areas of growth in the 21st century and endogenous capacity building in the Asia Pacific has to keep pace with this momentum. APCEL would like to work closely with the GSLA to translate the "Spirit of Rio" into reality and not allow it to be merely aspirational.

Danke Viemals - Thank You

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