
Report to President of NUS (Oct 03 – Mar 04)

1. New Initiatives

A. ASEAN Biodiversity Policy and Partnership Forum

- Brief Description: APCEL has been invited by the ASEAN Secretariat, the ASEAN Regional Centre for Biodiversity Conservation and IUCN Regional Biodiversity, Asia to organise a conference ASEAN Biodiversity Policy and Partnership Forum, to be held in 2004 in Jakarta. Prof Koh Kheng Lian is in the five member planning committee which met on 24 & 28 Nov 2003 to discuss the concept.

The Policy Forum will highlight the latest developments in ASEAN with respect to the priority issues; on biodiversity conservation (namely: Access to Benefir Sharing, Biosafety, Transboundary Conservation and Data Management) taking into consideration international developments, among others.

The Workshop sessions will be geared towards a hands-on, action-orientated planning to come up with a roadmap for cooperation on these issues in the medium term. The main output of the Forum will be a comprehensive plan setting directions for ASEAN in collectively addressing the priority issues;

The Forum will bring together not only representatives from ASEAN members but also partners such as UNEP/GEF, EU, and IUCN. Stakeholders from the region, represented by NGOs and the private sector will also be invited;

The Forum will be an opportunity for ASEAN to demonstrate to its partners a clear roadmap for the region which the parterns can support;

Resource persons from other countries or regions will also be invited to share their experiences in addressing these issues which ASEAN may consider. The Forum will be a 3½ day event.

- Start date: Tentative - 2004
- Target deliverables: Conference
- Deliverables to date: N.A.

B. Capacity Building: Request from US Trade Agreement Team

Brief Description: At the request from the US FTA team to explore cooperation between APCEL and USA State Department in the area of capacity building in environmental law, a meeting was held on 19 February in the Law Faculty. The Singapore team was Prof Koh Kheng Lian and Asst Prof Michael Ewing-Chow and the US Team was Steven Wolfson (Senior Attorney, US Environmental Protection Agency International Law Office, Negotiator of Environmental Provisions in Trade Agreements, and Co-chair of the EPA International Environmental Law and Enforcement Training Team) and Christopher Richard (International Relations Officer, Trade and Environment)

Start Date: 19 February 2004

Target Deliverables: N.A.

Deliverables to date: Will inform APCEL as and when capacity building is required in the Asia-Pacific region

C. Training of Law Professors in Environmental Law in the Philippines

- Brief Description: This is a mini 'Singapore Training Trainers Course' to be held in Philippines. It is modelled on the IUCN/APCEL/UNEP course held in 1997 and 1998 in Singapore. The participants in the Philippines course will make use of the ADB publication: Craig, Robinson & Koh, *Capacity Building for Environmental Law in the Asian and Pacific Region: Approaches and Resources*, Vol 1 & Vol II (ADB: 2003)
- Start date: 21- 25 June 04
- Target Deliverables: Prof Koh Kheng Lian was invited to comment on the course syllabus and also to be one of the resource persons.
- Deliverables to date: Prof Koh has submitted her suggestions for the syllabus

2. Ongoing Projects

A. APCEL/SEI Partnership in Training

- Brief Description: APCEL was invited by the Singapore Ministry of Environment, Singapore Environment Institute (SEI) to be a partner in its training programmes. In October 2003, APCEL conducted a course on Understanding *Environmental Laws: the Singapore and International Perspectives* for senior officials in the various government ministries.
- Assoc Prof Lye Lin Heng was the coordinator of the course. The teaching staff involved were: Professor Koh Kheng Lian, Assoc Prof Robert Beckman, Assoc Prof Lye Lin Heng, Assoc Prof Alan Tan Khee Jin, Asst Prof Victor Ramraj and Asst Prof Michael Ewing-Chow
- Start date: October 2003

- Target Deliverables: Lecture on 11th Environmental Course for Senior Officials in Environmental and other Ministries
- Deliverables to date: Delivered lectures in October 2003

Milestones

APCEL continues to be robust in its activities and is internationally recognised.

- APCEL members participated in a number of important meetings. Prof Koh Kheng Lian participated in providing feedback on the Memorandum of Intent signed between United States and Singapore. Prof Lye was a member of the Singapore Green Plan Action Programme Committee on International Environmental Relations. Prof Lye was a consultant to TRAFFIC Indochina's Cambodian Office, to advise the Cambodian government on the drafting of their national law to implement the Convention on International Trade in Endangered Species (CITES), from 24-26 Nov 2003.
- Two APCEL members attended international conferences on cutting edge environmental issues. Prof Koh Kheng Lian attended the IUCN World Congress on Protected Areas, 8-17 September 2003 in Durban. She presented three papers on 1) Change and Protected Areas: The Legal and Policy Response in ASEAN; 2) Developing Capacity for Management through Legal Frameworks in the Asian Region; 3) ASEAN Agreement in the Conservation of Nature and Natural Resources, 1985: A Study in Environmental Governance. She also participated in the session on "Globalisation and Decentralisation: The Role of Legal Framework" and "Synthesis Workshop Session on Improvement of Protected Area Governance: The Role of Durban Accord and Action Plan". Prof Lye participated at the Pacific Economic Cooperation Council's Seminar on Sustainable Cities, 19-21 November 2003 in Adelaide and made two presentations entitled "The Provision of Urban Services and Environmental Sustainability", and "the Role of the Public Authorities at the National Level – The Experience from South America and the Pacific Islands".
- APCEL together with IUCN Regional Biodiversity Forum, IUCN Environmental Law Programme, Asia and Macquarie University Centre for Environmental Law, organized a workshop for the ASEAN Regional Centre for Biodiversity Conservation (ARCBC) on *Capacity Building Course for Biodiversity Conservation and Sustainable Utilisation in ASEAN Region*, 24-28 Nov 2003, Singapore. There were 12 participants from ASEAN countries.
- APCEL together with the IP Academy, Intellectual Property Office of Singapore and Singapore Academy of Law co-organised the conference on Intellectual Property on Biological Resources, 1-3 December 2003. The sponsors included IUCN Commission on Environmental Law, IUCN Academy of Environmental Law, the Japan Bioindustry Association, the Macquarie University Centre for Environmental Law, United Nations University, Institute of Advanced Studies and World Intellectual Property Organisation. Asst Prof Burton Ong and Prof Koh Kheng Lian were members of the Steering Committee, chaired by Justice Lai Kew of the conference. The conference was an unqualified success and the feedback was very positive.
- At the invitation of the Institute for Global Environmental Strategies (IGES), Prof Koh Kheng Lian:
 - (i) Reviewed the framework for the Third Phase of IGES: the Long-term Perspective & Policy Integration Project, 2004.

(ii) Submitted the Singapore reprint on *Top News Asia* to be published in 2003

(iii) Reviewed for IGES Environmental White Paper for Sustainable Development in Asia-Pacific Region

- In the last issue of the *Traffic Southeast Asia* entitled “25 years of Traffic”, APCEL’s work in establishing a CITES Legislation for Vietnam was reported:

“The Vietnamese government established a CITES Legislation Working Group in September 2000 and invited TRAFFIC to provide technical assistance to the group. In early April 2001, draft CITES legislation was completed and the Asia-Pacific Centre for Environmental Law (APCEL), IUCN, WWF and TRAFFIC were asked to review it. After ratification, the legislation will provide for better implementation of CITES by clearly designating Vietnam’s CITES Management and Scientific Authorities, clarifying CITES listed species and those protected by Vietnam’s domestic legislation and establishing penalties for violation of the Convention.”

- The second edition of Craig, Robinson & Koh: *Capacity Building for Environmental Law in the Asian and Pacific Region: Approaches and Resources* was recently published in 2003.
- IUCN and APCEL cooperated in editing the IUCN publication *Towards a Second Generation in Environmental Laws in the Asian and Pacific Region – Select Trends*, Lye Lin Heng (Chief Editor) & Maria Socorro Manguit, Ed, IUCN-CEL (2003). This is the proceedings of the IUCN/IGES/ADB Symposium; ADB Institute, Tokyo, Japan. Assoc Prof Lye wrote the “Introduction”, and Prof Koh Kheng Lian contributed two chapters: “The First Generation of Environmental Laws in Asia” and “Regional Biodiversity Collaboration – the ASEAN Approach”.
- Prof Koh Kheng Lian represented APCEL in the Singapore Institute of Architects (SIA) and participated at a meeting to consider “Proposed Plan B for SIA’s Eco City Project – The Alternative Plan for Re-making Singapore’s Economic Competitiveness” on 8 & 16 January 2004.
- At the Conference of Parties of the Convention on Biological Diversity meeting held in February 2004, Prof Koh Kheng Lian was invited to be a member of the IUCN Inter-Commission Taskforce on Good Environmental Governance for Conservation.

- **Sabbatical Leave**

Assoc Prof Simon Tay taught environmental Law at Harvard University during his sabbatical leave in 2003. He has since returned.

Assoc Prof Lye is on sabbatical leave and is teaching a course on Comparative Environmental Law at Yale University’s School of Forestry & Environmental Studies from 1 January 2004 to end May 2004.

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