Programme Module

**Topic**
- Judicial Course on Environmental Law

**Number of Participants**
- 20 participants

**Participant Level**
- All levels of judicial officers

**Teaching Level**
- To bring about behavioural change

**Leader/Panel**
- Two expert practitioners in environmental law
- Two judges with expertise in environmental law
- Academic qualified in environmental law

**Objective:** To orient judicial officers on environmental law and its importance to the present day world. At the end of this session, participants will be able to:

- Identify the sources of environmental law
- Identify the core concepts and principles of environmental law

**Teaching Plan – Timing – 2 Days**

**DAY ONE:**

- **9h00 – 9h05:** Introduction
- **9h05 – 9h35:** Film
  - **Purpose:** to indicate the importance of environmental issues to the present day world
- **9h35 – 9h40:** Sources of Environmental Law
- **9h40 – 9h50:** Discussion
- **9h50 – 10h20:** Basic Principles of Environmental Law
  - Prevention
  - Precaution

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1 See [http://cjei.org/publications/Programme%20Modules/Environmental%20Law.doc](http://cjei.org/publications/Programme%20Modules/Environmental%20Law.doc)
- Polluter pays
- Environmental justice and equity
- Public trust
- Sustainable development

- Involves: speaker or two discussants

10h20 – 10h35: Question and answer session

10h35 – 10h50: Break

10h50 – 11h20: Legal Mechanisms to Protect the Environment
- Prohibition and restricting activities and substances
- Products and process standards
- Licensing and permit systems
- Environmental impact assessments
- Land use regulations
- Judicial review of administrative decisions

- Involves: two discussants

11h20 – 11h30: Question and answer session

- **DAY TWO:**
  - Licensing
  - Environmental mechanisms
  - Environmental assessment
  - Judicial review
  - Litigation – criminal and civil
    - Jurisdictional issues
      - Locus Standi
      - Enforcement of Statutes
      - Public interest litigation
    - Subject matter jurisdiction
      - Timeliness
      - Retroactivity of legislation
      - *Forum non conveniens*
  - Remedies and enforcement including sentencing
    - Enforcement and compliance
    - Injunctions
    - Damages
    - Restitution and remediation
    - Sanctions
    - Sentencing guidelines
      - Statutory
      - Common law
Due diligence defence  
Compliance monitoring

Teaching Tools

- Film  
- Lecture  
- PowerPoint  
- Flip-charts  
- Group discussion  
- Question and answer session  
- Moot court

Background Material

- United Nations Judicial Handbook on Environmental Law  
- Constitution of the respective jurisdictions  
- Supplementary books, documents and treaties from the United Nations  
- Relevant local statutes and regulations  
- Decided cases  
- Training manual on environmental law by the United Nations  
- Sentencing guidelines  
- United Nations Publication of Summary of Judicial Decisions  
- United Nations Book on Treaties and International Law*

Measurable Self Evaluation Form:

Please use a number between 1 and 5 to rate the extent to which this objective was met
5 – Excellent; 4 – Very Good; 3 – Good; 2 – Average; 1 – Poor