

Group 5

Framework for developing and
implementing Judicial Training
Programmes on Environmental law.

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What are the key principles, objectives and actions for the Judicial training law in Africa?

- KEY PRINCIPLES
- oUniformity of the principles which includes preservation of nature conversation;
- oProtection of the life and nature;
- oKey awareness empowerment;
- oEmpowerment of the Judiciary; and
- oNetworking amongst Judiciary on environmental issues.

KEY OBJECTIVES

- o Nature conversation;
- o Preservation; and
- o Networking.

ACTIONS

- oStrengthening of existing Judicial institutions;
- oConsider establishment of new areas where it does not exist;
- oResources/funding;
- oDevelopment of environmental curriculum at the Judicial educational institute; and
- oOrganises education programme for the Judiciary targeting specifically Judiciary on specific themes and topics.

2. What should the Judicial education curriculum on environmental law contain?

a. For newly appointed judicial officers

- oStart from the scratch and will go to the basic teaching;
- oCurriculum will include environmental law topics;
- oEmpowerment and awareness principles on environmental development issues;
- oTraining should be practical (experience sharing) moot trials etc.; and
- oSeniors to teach the newly appointed Judicial officers.

b. Socio-economic context content

- o Balancing socio-economic and development factors; and
- o In the case of Criminal law where the law is a strict liability, this may hamper environmental socio-economic in the Civil cases unless there is contrary decision the court may take into consideration socio-economic context.

c. Advanced /Specialised content.

- o Experience, information sharing and exchange;
- o Brainstorming on advanced/specialised content;
- o Look at the best mechanisms to share experience and information, e.g. videos, hard copies, databases and Websites;
- o Knowledge, skills and competencies in the field; and
- o Engage experts in the field.

3. What are the enabling factors for developing and establishing an effective Judicial education programme on environmental law?

- **a. Funding**
- ○ It must be included in the Judiciary training budget (government budget for training) for example from the central budget of the government or department;
- ○ Donor funding, for example NGOs; and
- ○ Environmental authorities, for example Department of Environmental Affairs
- ○ Donors internal and external.

b. Faculty (persons delivering the training)

- o Academic involving lawyers with favourable experience (internal and external judges preferably seniors teaching junior ones);
- o Universities for example Law faculty with expertise; and
- o International experts who are authority on environmental issues.

c. Institutional structure – who has overall control of the programme and its content.

- o Judiciary should have overall ownership in both the programme and its content;
- o There must be provision of the delivery platforms (for example central and decentralised infrastructure); and
- o Collaboration with organisations like UNEP.

4. Any other action needed to develop the framework/programme.

- oEach country should adapt uniform framework (from regional to national);
- oThe framework/programme should be piloted before full launch;
- oSustainability and ownership of the programme;
- oThe relevant Information, Communication and Technology tools should be used to develop the framework/programme; and
- oThe framework should have implementation guidelines.

Conclusion

- Colleagues who need to add anything
- Questions, Comments and Suggestion
- Thank you