

GROUP 6

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Question 1: What are the key principles, objectives and actions for Judicial training on environmental law in Africa

OBJECTIVES – Why train Judges on Environmental Law?

Objectives are generally govern by needs assessment, however the following areas are identified;

1. Train them to improve their knowledge in the subject area
2. Improve their skills and capacity to deal in the subject matter;
3. To equip them on emerging issues
4. To equip them on international best practices;
5. To enhance access to Justice and promoting good governance
6. To support the development of environmental jurisprudence.

PRINCIPLES

What principles should guide the training?

1. Relevance in terms of the theme and the interest of the participants;
2. Adult learning principles- (motivation to get the un-interested participants to be interested)

3. Inclusivity - target all Judges to get more participants

ACTIONS

1. Source for funding
2. Logistics
3. Identify appropriate and suitable persons (faculty)
4. Designing of the programme/ curriculum to suit the participants
5. Designing manuals
6. Designing section plans
7. Trainers guide
8. Evaluation (the impact of the training on the participants, the training)

QUESTION 2

(a) For newly appointed Judicial Officers

1. Concept and principles;
2. Sources of environmental law
3. International best practices;
4. Current environmental issues
5. Sanctions and remedies
6. Leading cases on environmental law

(b) Socio-economic context content

1. Bringing the Judge to the issue –(in pictures)
2. Cost and benefits of environmental degradation;
3. Consequences of failure to act;

(c) Advanced/specialized content

1. Sentencing Guidelines (depending on the country);
2. technical areas of environmental concern – (biosafety, upstream petroleum activities)
3. jurisdiction (Court, Judge, Subject matter)
4. In service continuing Judges

QUESTION 3

(a) Funding

1. Funding – judiciary allocation by submitting a budget proposal, fund raising proposal and sourcing private funding from faceless institutions and donors.
2. Identifying environmental funds from institutions and submitting proposals at the appropriate times –

(b) Faculty

1. Use senior Judges to develop faculty and encourage research;
2. Peer education
3. Exchanges and experience sharing;
4. Guest Judges/ experts from other Jurisdiction
5. Members of Court Users Committee Members with expert in the subject area.
6. Stories and experiences of victims

(c) Institutional Structure

1. Judge lead and Judiciary govern

QUESTION 4

Any other action needed to develop the framework/program

1. Take precedent from other countries and invite Guest Judges with expertise in the subject matter from other jurisdiction. (Network)

