

ASIA-PACIFIC JUDICIAL CONFERENCE ON CLIMATE CHANGE ADJUDICATION

TRENDS AND IMPACTS

7–8 October 2019 • Nadi, Fiji



Asian Judges Network
on Environment

In partnership with the
Global Judicial Institute
on the Environment

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DAY 1

Registration

8 a.m.–9 a.m.

INAUGURAL SESSION

9 a.m.–11:30 a.m.

Facilitator: Mr. Krishan Prasad, Deputy Registrar (Legal), Supreme Court of Fiji

Traditional Welcoming Ceremony (30 minutes)

Welcome Remarks by the Supreme Court of Fiji (10 minutes)

Justice Kamal Kumar

Acting Chief Justice, Supreme Court of Fiji

Keynote Address (20 minutes)

Mr. Aiyaz Sayed-Khaiyum

Attorney-General and Minister for Economy and Climate Change, Fiji

Group Photo

10 a.m.–10:10 a.m.

Tea Break

10:10 a.m.–10:40 a.m.

Remarks from the Asian Development Bank (ADB) (10 minutes)

Ms. Cathy Marsh

Assistant General Counsel, ADB

Remarks from the United Nations Environment Programme (UN Environment)
(10 minutes)

Mr. Andrew Raine

Head, International Environmental Law Unit, Law Division, UN Environment

TECHNICAL SESSION 1:

Focus on the Pacific: Regional Environmental and Climate Change Issues

11:30 a.m.–1 p.m.

Facilitator: Mr. Andrew Raine, Head, International Environmental Law Unit,
Law Division, UN Environment

1. Fiji's Climate Challenges: Legal Frameworks, Policies, and Issues

Mr. Shivanal Kumar

Climate Change Adaptation Specialist, Climate Change Unit, Ministry of Economy, Fiji

2. Climate Justice and Disasters: A Pacific Perspective

Prof. Rosemary Lyster

Professor of Climate and Environmental Law, University of Sydney Law School and
Director, Australian Centre for Climate and Environmental Law

3. Climate Change Updates: Paris Agreement, Rulebook, and Recent Developments

Ms. Maria Cecilia T. Sicangco

Climate Change Law and Policy Specialist (Consultant), ADB

4. Three Little Pigs: Make Friends and Save the Climate

Ms. Briony Eales

Climate Change Law and Policy Specialist (Consultant), ADB

■ 10 minutes for each presentation and 30 minutes for Q&A

Lunch Break

1 p.m.–2 p.m.

TECHNICAL SESSION 2:

Emerging Issues on Climate Change—Gender Front

2 p.m.–3:30 p.m.

Facilitator: Ms. Briony Eales, Climate Change Law and Policy Specialist (Consultant), ADB

1. Gender Inclusive Disaster Risk Reduction and Management

Justice Robyn Layton

Former Judge, Supreme Court of South Australia

2. Climate Migration and Regional Approaches to Migration: Saving Lives and Preserving Culture, Heritage, and Identity

Ms. Sarah Queblatin

Co-Founder and Executive Director, Green Releaf Initiative, Inc.

3. Climate Impacts on Vulnerable Groups: Focus on Asia and the Pacific

Ms. Irum Ahsan

Principal Counsel, Law and Policy Reform, ADB

4. One Billion Rising: A Perspective on How Climate Change Impacts Women and Girls?

Ms. Monique Wilson

Actress and Director, One Billion Rising

■ 10 minutes for each presentation and 30 minutes for Q&A

TECHNICAL SESSION 3:
Coastal Management, Healthy Oceans and Nature
 3:30 p.m.–4:30 p.m.

Facilitator: Mr. Sefanaia Nawadra, Head, UN Environment Pacific Office

1. Plastic Pollution in Oceans: Regional Focus and Judicial Strategies

Ms. Maria-Goreti Muavesi

Senior Environmental Legal Officer, Oceania Regional Office, International Union for Conservation of Nature (IUCN)

2. Legal Barriers to Community Based, Low-Impact, Conservation Focused Tourism

Mr. Kasi Taukeinikoro and Mr. Colin Philp

Co-Chairs, Duavata Sustainable Tourism Collective, Fiji

3. Regional Approaches to Protecting Reefs and Ocean Resources

Ms. Anna Oposa

Executive Director, Save Philippine Seas

■ 10 minutes for each presentation and 30 minutes for Q&A

END OF DAY 1

Dinner: [TBC]

DAY 2

TECHNICAL SESSION 4:
CLIMATE LITIGATION—TRENDS AND IMPACTS
 9 a.m.–10:30 a.m.

Facilitator: Mr. Matthew Baird, Director, Asian Research Institute on Environmental Law

1. Judges and Climate Change: Role and Responsibility

Justice Antonio Herman Benjamin

Superior Tribunal de Justicia, Brazil (Video Presentation)

2. Climate Change Litigation: The Fight Heats Up

Ms. Briony Eales

Climate Change Law and Policy Specialist (Consultant), ADB

3. Redress for Climate Change Impacts on Human Rights — Carbon Majors Example

Ms. Grizelda “Gerthie” Mayo-Anda

Executive Director, Environmental Legal Assistance Center and Professorial Lecturer, Palawan State University College of Law

4. Best Judicial Practices from South and Southeast Asia: Cases and Green Courts

Mr. Ritwick Dutta

Environmental Lawyer and Managing Trustee, Legal Initiative for Forest and Environment, India

■ 10 minutes for each presentation and 30 minutes for Q&A

Tea Break

10:30 a.m.–10:45 a.m.

**BREAKOUT SESSION:
SUSTAINABLE JUDICIAL CAPACITY IN THE PACIFIC
FOR ADJUDICATING ENVIRONMENT AND CLIMATE CHANGE CASES:
WORKING TOWARDS A REGIONAL STRATEGY**

10:45 a.m. – 12 noon

Facilitators: Mr. Andrew Raine, Head, International Environmental Law Unit,
Law Division, UN Environment

Mr. Matthew Baird, Director, Asian Research Institute on
Environmental Law

Participants will break out into smaller groups facilitated by the experts to discuss the topic. Groups will then report back to the Plenary.

Ideas to Discuss:

- Setting up a judicial secondment/exchange programme between Asia, Pacific, and other jurisdictions;
- Developing or tailoring a Pacific-focused judicial training manual for national judicial academies, to the extent they exist;
- Establishing the first Pacific judicial network on environmental law or integrating Pacific judges into existing networks, such as the Asian Judges Network on Environment and the Global Judicial Institute on the Environment;
- Establishing green benches in the Pacific;
- Forward thinking: discussing about a possible Pacific Environmental Tribunal to act as mediator or arbitrator in major investment disputes (e.g., Belt and Road Initiative and other infrastructure developments); and
- Impediments to environmental and climate justice in the Pacific.

■ 45 minutes for the breakout group discussions and 30 minutes for the group leaders' reporting before the plenary

Lunch Break

12 noon–1 p.m.

TECHNICAL SESSION 5: SUSTAINABILITY OF CLIMATE ACTIONS

1 p.m.–2 p.m.

Facilitator: Ms. Maria Cecilia T. Sicangco, Climate Change Law and Policy Specialist (Consultant), ADB

1. Sustainable Infrastructure Development for Small Island Developing States

Ms. Sonia Chand Sandhu

Principal Knowledge Sharing and Services Specialist, ADB

2. Sustainability of Climate Mitigation and Adaptation — Resource Depletion

Ms. Sarah Khan

Award Winning Film Maker and Student, Oxford University

3. Sustainable Energy: Carbon Neutrality and Renewables in the Asia-Pacific

Mr. Sanjay Upadhyay

Founder and Managing Partner, Enviro Legal Defence Firm, India

4. Behavior Change for Climate Action: Community as Driver of Change

Mr. Gene Blackley

Founder and Climate Solutions Advocate, Drawdown Australia

■ 10 minutes for each presentation and 30 minutes for Q&A

PLENARY SESSION: JUDICIAL COOPERATION AND WAY FORWARD

2 p.m.–3 p.m.

Facilitators: Mr. Andrew Raine, Head, International Environmental Law Unit, Law Division, UN Environment

Mr. Matthew Baird, Director, Asian Research Institute on Environmental Law

Panel or roundtable discussion to (i) discuss the Breakout Session's outcomes and (ii) list 3 key actions for the future

■ Open discussion with the Panelists and the Participants

TEA BREAK
3 p.m.–3:15 p.m.

CLOSING SESSION

3 p.m.–3:45 p.m.

Closing Remarks by the Supreme Court of Fiji

Justice Kamal Kumar

Acting Chief Justice, Supreme Court of Fiji

Remarks from the Asian Development Bank

Irum Ahsan

Principal Counsel, Law and Policy Reform, ADB

Remarks from UN Environment

Mr. Sefanaia Nawadra

Head, UN Environment Pacific Office

END OF DAY 2

I. Introduction

Judges play a crucial role in protecting the environment, addressing ecological issues, and promoting access to environmental justice. They enforce environmental laws by rendering environmental decisions, developing environmental jurisprudence, and establishing environmental courts and procedure. They also lead the legal profession in building and bolstering credible rule of law systems.

For ADB, sensitized and well-equipped judiciaries are an essential pillar of the government and a key development partner. Since 2010, ADB's Law and Policy Reform Program, based in the Office of the General Counsel, has been working with Asian judiciaries. The work focuses on enhancing judicial capacity for understanding evolving environmental law issues and adjudicating increasingly complex environmental disputes. United Nations Environment Programme (UN Environment) has been ADB's partner since inception of this project. In 2017, ADB expanded its judicial project to include climate change and related challenges.¹ This technical assistance project is designed to enable judges and judicial officers analyze and deal with the increasing number and complexity of environmental, climate change, and sustainable development issues affecting the region.

Asia and the Pacific are vulnerable to climate change. As climate change impacts intensify across Asia and the Pacific, court cases will build. The evolving nature of climate litigation as well as the rapid development of sustainable development law and policy require a thorough and programmatic approach to judicial training and capacity building. ADB's latest judicial project focuses on judicial capacity development through regional (Asia-Pacific), sub-regional (South Asia, South East Asia and Pacific subregions), and national (customized country-specific) interventions as required and requested.

Working directly with chief justices and senior judges has proven to be a successful strategy because of their position to implement quick and effective approaches and establish clear monitoring tools. Enhanced judicial understanding has led to

¹ ADB. 2016. *Developing Judicial Capacity for Adjudicating Climate Change and Sustainable Development Issues*. Manila (TA 9279).

an improved enforcement of environmental laws, the protection of peoples' right to a clean and healthy environment, as well as the potential for a better legal and policy environment for ADB projects and operations. The project's work has led to the establishment of green benches, development of special rules of procedure for environmental cases, seminal jurisprudence on environment and climate change, and collaboration amongst Asian judiciaries and with development partners and other jurisdictions through the Asian Judges Network on Environment (AJNE).

In 2018, several judges from Pacific island countries attended the Asia-Pacific Judicial Conference on Environmental and Climate Change Adjudication in Nay Pyi Taw, Myanmar. This was the first time judges from the Pacific participated in an event organized under the auspices of AJNE. At that conference, several important issues confronting the region were raised, including climate refugees, migration with dignity, and protecting culture and heritage. ADB, UN Environment, and Asian judges agreed that the Pacific should host the next judicial gathering. Bringing the event to Fiji enables Pacific judiciaries to join AJNE and participate in discussions about legal responses to climate change.

II. Host Country Spotlight: Fiji

Fiji is home to over 870,000 people in the central South Pacific Ocean.² Fiji's 330 islands cover 1.3 million square kilometers (km²) of the South Pacific Ocean.³ The islands are home to diverse ecosystems teeming with forest, freshwater, coastal and marine life. Although over 60% of Fiji's land is suited to agriculture, only 29% is appropriate for arable farming.⁴ Its terrestrial flora and fauna is unique—56% of its 1,594 plant species are endemic.⁵ Fiji has protected 48 terrestrial areas covering 488 km², or 2.7% of its land area.⁶

² World Bank. World Bank Open Data. <https://data.worldbank.org/country/fiji> (accessed 20 September 2019).

³ Fiji Ministry of Foreign Affairs. 2019. Suva – HQ. <http://www.foreignaffairs.gov.fj/head-quarters/20-overview/overview/447-about-fiji>.

⁴ ADB. 2016. *Fiji: Urban Water Supply and Wastewater Management Project Environmental Assessment*. August. Manila. <https://www.adb.org/sites/default/files/linked-documents/49001-002-ieeab.pdf>.

⁵ Footnote 4.

⁶ Fiji. 2011. *Action Plan for Implementing the Convention on Biological Diversity's Programme of Work on Protected Areas*. 6 October.

Fiji has a rich marine environment that is worth billions of dollars to the economy and its values are deeply embedded in its culture.⁷ Fiji has an estimated 1,129 km of coastline within the 1.3 million km² of its exclusive economic zone, 38,000 hectares of mangrove areas, and reefs and near-atolls spanning over 10,000 km².⁸ Fiji is also home to the Great Sea Reef, the third longest continuous barrier reef in the world. Encompassed within this vibrant ecological framework are nearly 400 known species of coral, more than 1,200 varieties of fish, and a multitude of invertebrates (WWF).⁹

The ocean is central to Fijian life. According to the World Wildlife Fund, Fijians have important traditional relationships with the sea, reflected in their lifestyle, customs, traditional knowledge, and history. Around 80% of Fijians live on the coast and rely heavily on marine resources for food, livelihood, and income.¹⁰ Marine resources are also used for minerals, pharmaceuticals, construction material, and a wide range of useful products. It can thus be said that living with and protecting the environment is at the very heart of the Fijians' way of life. However, land degradation, flooding, coastal settlement inundation, unsustainable marine resource exploitation, and rapid urbanization threaten Fiji's fragile and unique ecosystem, undermining quality of life.¹¹

These specific risks have been identified by an environment assessment conducted by ADB:

- a. **Land.** The nature of land utilization practices, whether for agriculture, forestry, or mining activities, has increased risks associated with high soil erosion, river and stream contamination, sedimentation, pollution, and flooding in low coastal and coral reef areas.
- b. **Marine and Coastal Resources.** Major threats identified for Fiji's coastal resources are the increasing rates of coastal activities such as land

⁷ IUCN. 2017. *Describing the environment across Fiji's ocean*. 7 March. <https://www.iucn.org/news/oceania/201703/describing-environment-across-fiji%E2%80%99s-ocean-1>.

⁸ ADB. Country Partnership Strategy: Fiji 2014–2018. <https://www.adb.org/sites/default/files/linked-documents/cps-fij-2014-2018-ena.pdf>.

⁹ See <https://mesfiji.org/resources/environment/fijis-natural-environment>.

¹⁰ Footnote 9.

¹¹ ADB. Country Partnership Strategy: Fiji 2014–2018. <https://www.adb.org/sites/default/files/linked-documents/cps-fij-2014-2018-ena.pdf>.

reclamation, coral extraction, and river dredging, compounded by unregulated residential and tourism development. Coastal area and wetland reclamation have also caused significant loss of mangrove areas and littoral forest. Coastal pollution from land-based activities and waste is also a major threat through increased siltation from reclamation, solid waste dumpsites, eutrophication, and groundwater seepage.

- c. **Urbanization and Waste.** Unsustainable commercial activities have also affected conservation and protection efforts. Problems caused by rapid urbanization—water supply, sanitation, and waste management—have also negatively impacted the environment.

The Fijian government is well aware of the threats posed by climate change. It has been a global leader and a leading voice for issues faced by developing countries, especially small island nations. One of its ministers called climate change as “our fight for our lives and our livelihoods.”¹² The World Bank identified Fiji’s climate threats as including higher incidence of rates of disease as average temperatures rise, increasingly destructive storms as oceans get warmer and weather patterns become more severe, and disruptions to agriculture as the intrusion of saltwater damages existing farmland.¹³ Sea flooding, heavy swells, intense high pressure systems, and flooding have also endangered the country.¹⁴

One of the Fijian government’s recent actions is the drafting of a climate change act. The act, introduced in Parliament this September 2019, will include tighter restrictions on the use of plastics, a framework for Fiji to reduce its emissions to net-zero by 2050, the introduction of a carbon credits scheme and the establishment of procedures for the relocation of communities at risk from the adverse effects of the climate crisis.¹⁵

¹² Parliament of the Republic of Fiji. 2019. *Parliamentary Debates*. 7 August. p. 2625. <http://www.parliament.gov.fj/wp-content/uploads/2019/08/Upload-Wednesday-7th-August-2019.pdf>.

¹³ World Bank. 2000. *Cities, Seas, and Storms: Managing Change in Pacific Island Economies*. Volume IV Adapting to Climate Change. 30 November. <http://documents.worldbank.org/curated/en/532221468288338891/pdf/274490Cities0seas0and0storms0vol04.pdf> as cited in UNFCCC. 2017. *How Fiji is Impacted by Climate Change*. 9 February. <https://unfccc.int/news/how-fiji-is-impacted-by-climate-change>.

¹⁴ *Id.*

¹⁵ <https://www.theguardian.com/world/2019/aug/07/fight-for-our-lives-fiji-calls-world-leaders-selfish-as-it-lays-out-climate-crisis-blueprint>.

III. Pacific Regional Environment and Climate Challenges

Climate change is one of the top challenges faced by Pacific developing member countries.¹⁶ In fact, it can be considered as the greatest environmental, social, and economic challenge the Pacific people face. Their geographical location and topographical characteristics make their populations and economies vulnerable to rising sea levels, increase in the frequency and intensity of extreme weather and climatic events, and ocean warming.¹⁷ Since the 1990s, the Australian Bureau of Meteorology has been monitoring the sea level in the Pacific, particularly the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.¹⁸ Its data shows that sea levels across these 14 countries have risen by 5 mm per year on average over the last 3 decades.¹⁹

Over the past years, these same impacts have increased in frequency and strength, impeded poverty reduction efforts, and hampered economic development. According to a 2019 ADB report:

Extreme climate events lead to damage and loss of property including public infrastructure (e.g., roads and bridges, school and hospital facilities, and power generation and transmission lines) and productive sectors (e.g., agriculture and tourism). These events also lead to lower economic growth, higher inflation (particularly in the short run), and deterioration of fiscal and current account balances. They also result in employment and personal income losses and, in some cases, increased poverty incidence...

¹⁶ ADB. 2019. *Climate Change Remains One of Top Challenges Faced by Pacific* – ADB. 1 May. <https://www.adb.org/news/climate-change-remains-one-top-challenges-faced-pacific-adb>.

¹⁷ ADB. 2019. *Atoll Nations Face Immediate Climate Threat to their Development* – ADB President. 27 August. <https://www.adb.org/news/atoll-nations-face-immediate-climate-threat-their-development-adb-president>.

¹⁸ Australian Government Bureau of Meteorology. *Pacific Sea Level and Geodetic Monitoring Project*. <http://www.bom.gov.au/pacific/projects/pslm/index.shtml> (accessed 20 September 2019). The Pacific Sea Level and Geodetic Monitoring Project continues the work of the 20-year South Pacific Sea Level and Climate Monitoring Project.

¹⁹ Climate Data Information. 2018. *Sea Levels – Pacific Islands*. <http://www.climatedata.info/impacts/sea-levels/pacific-islands/> (accessed 20 September 2019).

Pacific economies will continue to be affected by the impacts of climate change. Food production, freshwater supply, coastal and marine resources, infrastructure, and human health are increasingly at risk, with corresponding adverse impacts on the region's development prospects.²⁰

The same report predicts the following climate change consequences for the region:

- (i) increased average annual mean temperatures, although with high variation across countries, e.g., a rise by 2.0°C by 2070 in Fiji and Samoa and more than 2.5°C in PNG, Solomon Islands, Timor-Leste, and Vanuatu relative to the 1990 level;
- (ii) significantly higher increase in sea levels across the Pacific than the anticipated global average increase of 0.21 m–0.48 m by 2100, e.g., up to 1.74 m in Solomon Islands and 0.92 m in Kiribati;
- (iii) erratic weather, higher temperatures that slow down crop growth in tropical climates, and saltwater intrusion that affect agricultural production by 2050, e.g., a decline in sweet potato cultivation by as much as 59% in PNG and by 15% in Solomon Islands, a decline in sugarcane yield by 9% in Fiji, a drop in maize yields by as much as 10% in Timor-Leste and by as much as 14% in Vanuatu; and
- (iv) reduced availability of drinking water in most low-lying islands and atolls due to saltwater intrusion of groundwater sources as a consequence of rising sea levels more erratic rainfall patterns.

The economic costs of climate change will significantly increase over the next century.²¹ Under a high-emission scenario with slow growth and technological change, climate change costs to the Pacific region will rise from 0.2% of its annual gross domestic product (GDP) in 2015 to 3.5% in 2050 and to as much as 10.9% by 2100. Climate change will hit the agricultural sector hardest and have adverse effects on tourism as well. Energy demand will also increase and constrain countries that rely on imported energy supplies. Health impacts due to climatic changes will also intensify, pushing social services to its limits.

²⁰ ADB. 2019. *Pacific Economic Monitor. Special 10th Anniversary Issue*. May. Manila. <https://www.adb.org/sites/default/files/publication/498406/pem-may-2019.pdf>.

²¹ *Id.*

Climate change will require Pacific countries to adjust to this new reality. But adaptation to a high-emission scenario could require considerable funding equivalent to 0.97% of annual Pacific GDP or \$284.3 million per year by 2050.²² As climate changes intensify, funding requirements could reach as much as 1.52% of the region's annual GDP (or about \$446.7 million).²³

IV. Asia and the Pacific: New Frontline of Climate Litigation

A warmer world has placed climate change and sustainable development at the forefront of policy and development debates. Many developing countries across Asia and the Pacific have barely contributed to global emissions and yet rank as the world's most climate vulnerable. Extreme weather events—ranging from storms and floods to droughts and water shortages—have become the new normal for countless people in the region.

As climate impacts grow, so too does climate litigation. Concerned citizens, civil society organizations, and governments have sued for climate action. In Pakistan, the government was ordered to implement its climate change policy because of a petition brought by a farmer whose crops were failing due to extreme weather events.²⁴ In the Philippines, Greenpeace and other concerned citizens petitioned the Human Rights Commission to investigate 70 carbon majors for knowingly contributing to increased greenhouse gas emissions since the 1970s and 1980s.²⁵ In 2019, the Supreme Court of India stopped a major greenfield international airport in Goa after the project proponent failed to disclose the need to cut down 54,676 trees and other impacts to ecologically sensitive zones.²⁶

²² *Id.*

²³ *Id.*

²⁴ *Leghari v. Federation of Pakistan*, Lahore High Court (2015) W.P. No. 25501/201.

²⁵ *Greenpeace Southeast Asia (Philippines), et al. v. Chevron, et al.*, Philippine Commission on Human Rights, CHR-NI-2006-0001 Petition requesting for investigation of the responsibility of the Carbon Majors for human rights violations or threats of violations resulting from the impacts of climate change. A copy of the petition is available at <https://www.greenpeace.org/archive-seasia/ph/PageFiles/735291/Petitioners-and-Annexes/CC-HR-Petition.pdf>.

²⁶ *Hanuman Laxman Aroskar v. Union of India*, 2019 SCC OnLine SC 441.

Indonesia's Ministry of Environment has successfully sued wrongdoers for compensation and restorative damages after they burned forests and peatland.²⁷

Climate litigation in the Pacific has not been prevalent. Citizens of Kiribati and Tuvalu famously but unsuccessfully argued that Australia and New Zealand should treat people displaced by climate change and disaster as climate refugees.²⁸

Otherwise, climate cases remain relatively isolated in the Pacific. Understanding the dynamics and cross-cutting nature of climate change will be vital for ensuring better responses to this emergency, including from judiciaries. Litigants may not mention climate change when arguing their case. However, as the Lahore High Court reasoned in *Leghari v. Pakistan*, climate justice means understanding connections between agriculture, building approvals, disaster preparedness, food, health, human and climate trafficking, human resources, industrial licenses, infrastructural work, and technology.²⁹

V. Asia-Pacific Judicial Conference on Climate Change Adjudication: Trends and Impacts

ADB, UN Environment, and the Supreme Court of Fiji are co-hosting this year's gathering of judges from Asia and the Pacific, in partnership with the Asian Judges Network on Environment and the Global Judicial Institute on the Environment. The beautiful city of Nadi will cater to over 120 judges, along with legal professionals and development partners from over 25 countries around the world.

²⁷ See, for example, *PT. Kalista Alam v. MoE*, Supreme Court Decision No. 651/K/Pdt/2015.

²⁸ *Ioane Teitiota v The Chief Executive of the Ministry of Business, Innovation and Employment* [2015] NZSC 107; *In re: AD (Tuvalu)* [2014] Cases 501370-371 (New Zealand); and *RRT Case Number 0907346* [2009] RRTA 1168.

²⁹ See *Leghari v. Federation of Pakistan*, Lahore High Court (2015) W.P. No. 25501/201.

The conference features seven sessions focusing on the following climate change topics in the Pacific:

- (i) regional environmental and climate change issues;
- (ii) emerging issues on climate change and gender;
- (iii) coastal management, healthy oceans, and nature;
- (iv) climate litigation trends and impacts;
- (v) sustainability of climate actions;
- (vi) sustainable judicial capacity for adjudicating environmental and climate change issues: working towards a regional strategy; and
- (vii) a plenary session for forging judicial cooperation and strategizing a way forward.

INAUGURAL SESSION

JUSTICE KAMAL KUMAR

Acting Chief Justice, Supreme Court of Fiji



Justice Kamal Kumar acquired his Bachelor of Law from Queensland University of Technology, Australia back in 1999. In the same year, he was admitted as a barrister to the High Court of Australia and the Supreme Court of Queensland. From 2000 to May 2013, he was a lawyer at Young & Associates, Solicitors, Lautoka, Fiji. He became a Judge in the High Court of Fiji (Civil Division) from May 2013 to

7 April 2019. He became Acting Chief Justice from 8 April 2019 up to the present.

In September 2018, he was also appointed as chairperson to the Fiji Human Rights and Anti-Discrimination Commission.

In terms of community service, from 2001 to 2006 and again from 2009 to 2012, he was president of the Lautoka Branch of the Dakshina India Andhra Sangam of Fiji. He eventually became national president of the said organization from 2012 to the present. He also held various positions in the Rotary Club of Lautoka, the District 9920 Rotary International, and the Board of Visitors, Lautoka Hospital.

AIYAZ SAYED-KHAIYUM

Attorney-General and Minister for Economy and Climate Change, Fiji



Mr Aiyaz Sayed-Khaiyum is the Fijian Attorney-General, Minister for Economy and Minister responsible for Climate Change.

He oversaw the creation of a first-of-its-kind climate change unit in the Office of the Attorney-General to examine climate-related legal matters, such as how to protect the human rights of those displaced by climate impacts.

He is a strong proponent of climate adaptation and finance, working with governments, multilateral organisations, and development banks to allow countries such as Fiji to obtain adequate levels of funding to build their resilience. He is a leading global advocate for granting concessional finance to vulnerable countries in the aftermath of severe weather events.

The Attorney-General holds a Masters in Law from the University of Hong Kong and a Bachelor of Arts in Political Science and Development Studies from the Australian National University. He is admitted to the Supreme Court of New South Wales and the High Courts of Australia and Fiji.

He lives in Suva with his wife, Ela, and their three young children, Ibrahim, Idris, and Imaan.

CATHY MARSH

Assistant General Counsel, ADB



Cathy Marsh, a British national, is Assistant General Counsel for the Nonsovereign Operations team and joined ADB on 30 August 2018. Prior to joining ADB, Cathy was a partner in the London office of the US law firm Milbank from 2004 to 2013, and an associate at Milbank from 2001 to 2004. She was previously at Clifford Chance from 1993 to 2001.

Cathy completed her BA (Hons) in International Relations and European Studies with French at the University of Sussex, United Kingdom in 1990, and her Common Professional Examination and College of Law Finals from the College of Law in London in 1992 and 1993, respectively. She was admitted to the Courts of England and Wales in 1995.

ANDREW RAINE

Head, International Environmental Law Unit, Law Division, UN Environment



Andy Raine is currently the Head of the International Environmental Law Unit in the Law Division at the United Nations Environment Programme (UN Environment). He leads a team based in Nairobi who work globally towards the progressive development and implementation of international environmental law. Andy is an Australian and UK-trained lawyer with expertise in environmental law,

policy and governance at the national, regional and international levels. He has worked for over 17 years in the field, with experience gained working in private practice in international law firms (Freehills in Melbourne and Linklaters in London) and UN agencies (UNDP in New York and UN Environment in Bangkok and Nairobi). Andy is married to a fellow environmentalist and has two young children, two dogs, and four bicycles.

SPEAKERS

in alphabetical order

IRUM AHSAN

Principal Counsel, Law and Policy Reform Program, Asian Development Bank



Irum Ahsan completed her legal education from the London School of Economics and Political Science. Before joining the Asian Development Bank (ADB), she practiced on contentious and non-contentious legal matters in Pakistan. In addition, Irum taught law at various prestigious institutions. At ADB, she is working in the Office of the General Counsel, where she advises on multi-sector projects for inclusive

growth. Irum is currently leading the Law and Policy Reform Program (LPR) with a focus on environmental and climate change adjudication and enforcement, legal literacy for women, corporate governance, energy laws, and regional cooperation. Her work resulted in the establishment of the Asian Judges Network on Environment, the first such network in the world, more than six green courts in Asia, and Asia's first Gender Based Violence Case Court in Pakistan. Irum has also organized several symposiums for chief justices on environmental and climate change laws and presented her work at numerous international forums. She is a member of ADB's Governance, Gender and Environment Thematic Groups. Irum is an active advocate for gender and passionately steers the gender discussion in ADB. Her work led to winning the 2018 Financial Times Most Innovative In-House Legal Team Award and Innovation in Rule of Law and Access to Justice Award.

MATTHEW BAIRD

Director, Asian Research Institute for Environmental Law



Matthew was called to the NSW Bar in 1991. He has been involved in the area of environmental law since 1987. Since 2010 he has worked in ASEAN, providing environmental legal advice on a range of environmental and social governance (ESG) matters. He has worked in most of the ASEAN countries providing advice on legislation and ESG and has worked with UN Environment, UNDP, ADB, IFC,

WB, WWF, Vermont Law School and Earthrights International. In particular he was worked with ADB on the judicial capacity development in environmental and climate change adjudication since 2013. He has participated in judicial workshops in Bhutan, Cambodia, Myanmar, the Philippines, and Thailand.

He has run many climate litigation cases in Australia and has lectured on nuclear energy law, transboundary EIA law and environmental crime and enforcement. He has also presented training sessions for judges in a number of ASEAN countries and assisted ADB in the Train the Teachers program for capacity development for environmental law academics in Asia. He is the Deputy Chair of LAWASIA's Environmental Law Committee and a Visiting Scholar in Vermont Law School.

JUSTICE ANTONIO HERMAN BENJAMIN

Justice, National High Court, Brazil



Prof Dr. Dr. *h.c.* Antonio Herman Benjamin is a member of the National High Court of Brazil (STJ), Chair of the IUCN World Commission on Environmental Law, and Secretary-General of the United Nations Environment Programme International Advisory Council for Environmental Justice. He has published over 30 books and articles on Environmental Law.

Justice Benjamin is the original proponent and a leading advocate of the Global Judicial Institute on the Environment, which was launched during the 1st World Congress on Environmental Law, held in Rio de Janeiro in April 2016. In addition to the several awards that he received in Brazil and abroad, Justice Benjamin is a Knight of the National Order of the Legion of Honor of the Republic of France and a Commander of the Order of Leopold of the Kingdom of Belgium, awards bestowed on him in recognition of his global public service.

GENE BLACKLEY

Founder and Climate Solutions Advocate, Drawdown Australia



Gene Blackley is an advocate for regenerating our natural living systems and society. The Asia-Pacific region is incredibly well positioned to thrive from embracing and addressing the challenges of our climate and ecological crises. As a leader for Project Drawdown in Australia, Gene promotes an inspiring vision for a thriving society with a circular zero-emissions economy. Gene brings a perspective

to driving system and behavior change which leverages an international career in business development consulting and training with senior executives of multinational corporations and government.

RITWICK DUTTA

Executive Director, Legal Initiative for Forests and Environment



Ritwick Dutta is an Environmental Lawyer & Managing Trustee, Legal Initiative for Forest and Environment (LIFE). He has focused exclusively on environmental litigation and has supported communities, civil society groups, and affected citizens in bringing environmental issues before the Court. His principal focus is the National Green Tribunal where he has served as the Secretary of the National Green Tribunal

Bar Association. Ritwick is an Ashoka Fellow and is the recipient of the Carl Zeiss Roll of Honour 2005, the Sanctuary ABN Amro Award 2007, the NDTV Green Hero Award 2010, the Balipura Foundation Award 2015, and the Bhagirath Prayaas Samman Award, 2016. He is the Board Member of NGO Platform on Shipbreaking and leads The Access Initiative – South Asia, the largest network of CSO's working on access to information, public participation and access to justice. He has authored 13 books on environmental law including the Supreme Court on Forest Conservation and National Green Tribunal published by Universal Law Publishing.

BRIONY EALES

Climate Change Law and Policy Specialist (Consultant), ADB



Briony Eales is a climate change law and policy lawyer. She consults with ADB's Law and Policy Reform program. Over the last 2.5 years, Briony researched climate change litigation, law, and policy in Asia and the Pacific. She now leads the production of ADB's special reports on climate law and litigation in Asia and the Pacific. The reports will showcase regional judicial innovation. They will

also provide resources to judges adjudicating climate change matters in Asia and the Pacific. Briony also advises ADB and the Lao PDR on climate law and strategy.

Previously, Briony advised ADB on environmental prosecution and adjudication, and energy and water legal and regulatory frameworks.

Having worked in the private sector, Briony understands the legal and commercial challenges of large-scale project development. She advised Xstrata plc on environmental and social compliance, risk, sustainable development, resettlement, and indigenous peoples' engagement on a project in the Philippines. Briony started her legal career as a litigation solicitor specializing in administrative and insurance law in Australia.

SARAH KHAN

Award Winning Filmmaker and Student, Oxford University

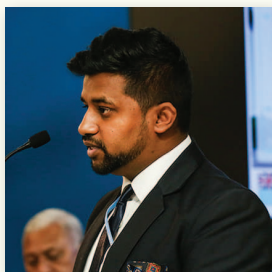


Sarah Jehaan Khan is an environmental filmmaker from Pakistan and an undergraduate at Oxford University. Her work focuses on the nexus between climate change and women's rights, and documents indigenous, local adaptation methods to climate change. Her films have won over 18 awards internationally and she has been featured in the BBC's list of 100 Women for her environmental

advocacy. Her short film 'The Ripple Effect' documents how simple and affordable rainwater harvesting methods have transformed the lives of rural Pakistani women by giving them access to safe water. She has spoken at Harvard University, SXSW, Paley Center for Media, and universities across Pakistan on the link between women's rights and climate change. On November 2019, she will be launching a new forum at Oxford University's new Human Rights Institute which showcases climate adaptation success stories.

SHIVANAL KUMAR

Climate Change Adaptation Specialist,
Climate Change Unit, Ministry of Economy, Fiji



Shivanal Kumar is a climate change professional in the Fijian Government, focusing on national adaptation planning process. He works for the Climate Change and International Cooperation Division in the Ministry of Economy and possesses a unique background on marine biology and environmental laws. Previously, he has worked as an Environmental Manager at a Resort, and has also

spent some time in the higher education sector as a programme accreditation specialist. He is a graduate of the University of the South Pacific, and has acquired his leadership training from East West Center in Hawaii.

JUSTICE ROBYN LAYTON

Former Judge, Supreme Court of South Australia



The Hon. Justice Robyn Layton is a former Supreme Court judge of South Australia (SA) and was the fourth female to have been so appointed. Prior to her Supreme Court appointment, she was a barrister practising across many jurisdictions, the third female to be appointed a silk in SA, the first female Judge in the South Australian Industrial Court, and then a Deputy President of the Commonwealth

Administrative Appeals Tribunal. In 2003, she authored the Review of Child Protection in SA recommending an overall government policy and legislative framework across all departments.

Justice Layton was a Member and later the first female Chair of the Committee of Experts on Application of Conventions of the UN International Labour Office (ILO), Geneva, from 1993 to 2008. She has been an ILO consultant since 2000, delivering training for judges and lawyers in labour law and human rights standards internationally, particularly in Asia (Bangladesh, India, Indonesia, Malaysia, the Philippines, and Thailand).

As a judge in Australia, she was involved in developing and delivering judicial training courses on issues such as vulnerable witnesses including children and women in court. She and other judges produced a judicial Bench Book for all judges in Australia on children as witnesses.

Currently, Justice Layton is an Adjunct Professor at the School of Law, University of South Australia. She also works independently as a Judicial Education and Program Development Consultant and is a consultant for the Asia Development Bank and has worked on many projects related to gender. They have included poverty reduction for women in Cambodia, Kazakhstan, and the Philippines (2011–2013); strengthening women's resilience to climate change and disaster through legislation in Fiji, the Lao PDR, and Mongolia (2018 to date) and a consultant and adviser on Legal Literacy for Women in Afghanistan and Pakistan (2017 to date).

Her recent publications have been as a co-author of a book on Evidence Law in Australia in 2017 and two publications on equal remuneration and the gender pay gap.

Her work has been acknowledged in receiving the following Awards in Australia: Member of the Order of Australia (AO) (2012); The South Australian, Australian of the Year (2012); Life Member of the Law Society of South Australia (2012); Justice Award Law Society of South Australia (2013); Australian Woman Lawyer's Award (2016); and Life Member of the Women Lawyer's Association (2017). She is also a Patron and Ambassador for many organisation including the Australian Migrant Resource Centre and is the Human Rights Ambassador for the United Nations Association of Australia.

ROSEMARY LYSTER

Professor of Climate and Environmental Law, University of Sydney Law School;
Director, Australian Centre for Climate and Environmental Law



Rosemary Lyster is the Professor of Climate and Environmental Law at The University of Sydney Law School and a Fellow of the Australian Academy of Law. Rosemary's special area of research expertise is Climate Justice and Disaster Law. She has published two books in this area: Rosemary Lyster and Robert M. Verchick (eds.) *Climate Disaster Law* (Edward Elgar: 2018) and Rosemary Lyster *Climate*

Justice and Disaster Law (Cambridge University Press: 2015). In the areas of Energy and Climate Law, Rosemary has published three other books with Cambridge University Press. In 2018, Rosemary was recognized by the *Australian Financial Review* as one of Australia's '100 Women of Influence'. In 2015, Rosemary was appointed by the Victorian government to a three-person Independent Review Committee (IRC) to review the state's Climate Change Act 2010 and make recommendations to place Victoria as a leader on climate change. The government accepted 32 of the IRC's 33 Recommendations which were included in the new Climate Change Act 2017. In 2013, Rosemary was appointed a Herbert Smith Freehills Visiting Professor at Cambridge Law School and was a Visiting Scholar at Trinity College, Cambridge in 2009 and in 2014.

GRIZELDA “GERTHIE” MAYO-ANDA

Executive Director, Environmental Legal Assistance Center; and Professorial Lecturer, Palawan State University College of Law



Atty. Mayo-Anda is an environmental attorney with over 25 years of field-based practice in environmental advocacy and community-based resource management work in the Philippines. She established the Environmental Legal Assistance Center (ELAC) in 1990, now one of the Philippines' most active NGOs working to empower communities and local stakeholders to protect their natural resources.

She is currently the Executive Director of ELAC.

Known as Gerthie to family, colleagues and friends, Atty. Mayo-Anda has almost two decades of programmatic and managerial experience in various areas of non-profit work including policy development and advocacy for conservation and natural resources management, community development and human rights, fund raising for non profit environmental work, project cycle management/monitoring and evaluation, partnership building with local governments and private sector on concerns such as climate change, coastal resource management, clean air management and legislation, protected area establishment and management and community organizing work for natural resource management.

She has received several awards and commendations for her environmental work, including one from Conde Nast Traveller Magazine in July 2000 which selected her from a list of global candidates in recognition of her work with the Palawan indigenous communities and the establishment of ELAC; the Puerto Princesa City's Mayor's Award for valuable contribution to sustainable development and environmental protection (March 1998); and Grant Fellowship Awardee, United States-Asia Environmental Fellowship (USAEP) Program (1994); the Western Command 2014 Bayanihan Award for engagement with government and communities on environmental education and the February 2018 "Istorya ng Pag-asa" commendation of Vice-President Leonor Robredo.

She is a lecturer/resource person on Seminars/Trainings organized by the Philippine Judicial Academy (PHILJA), Alternative Law Groups (ALG) and government agencies (e.g., DENR, DA-BFAR and local government units) on environmental laws, new rules on the prosecution of environmental cases, coastal law enforcement, climate change, and environmental governance. She is an author and co-author of various articles and publications on environmental policy, environmental governance, community-based resource management, mining, REDD+ and corruption risks.

She is a Professor of Natural Resources, Environmental Law (since 1996) and Legal Ethics (1995–1998, 2003–present) and Land Titles (since 2014) in the Palawan State University College of Law.

She finished law degree (cum laude) in 1985 at the San Jose de Recoletos, Cebu City and undergraduate degree in Accounting (cum laude) from St. Theresa's College, Cebu City.

MARIA-GORETI MUAVESI

Senior Environmental Legal Officer, Oceania Regional Office, IUCN



Maria-Goreti Muavesi joined IUCN Oceania Regional Office in 2013 where she oversees the implementation of ORO's environmental law programme. She obtained her law degree from the University of the South Pacific in 2004 and was admitted to the Fiji High Court Bar in 2005. In 2018, she graduated from the University of Wollongong, Wollongong, Australia with a Master of Fisheries

Policy. Her research interest is in offshore fisheries, indigenous rights to natural resources, oceans and marine law and policy, ecological law, terrestrial and marine protected areas, climate change litigation, environment and social management safeguards and the role of environmental law associations in the protection and conservation of the environment. She is the Chair of the Pacific Network

for Environmental Law (PaNEL) which is the Law Working Group of the Pacific Islands Roundtable for Nature Conservation (PIRT) and is currently undergoing an 18-month Australia Awards Women Leadership Initiative and Mentoring Programme. Her most important role is being mother to three children (one girl and two boys) under the age of six.

SEFANAIA NAWADRA

Head, UN Environment Pacific Office



Sefanaia Leicester Bilavucu Nawadra was born in Fiji on 27 May 1967. He is married with four children. He has a Bachelor of Applied Science in Environmental Engineering from the University of Canberra in Australia and holds a Master of Science in Environmental Management from the University of London in the UK.

He joined the United Nations Environment Programme in current post in June 2015. He worked in the environment sector in the Pacific Islands for a total of 29 years. He also worked for the Secretariat for the Pacific Regional Environment programme (SPREP) for 10 years in two stints: 1999–2006 as Marine Pollution Adviser and from 2010 to May 2015 as Director, Environmental Monitoring and Governance Division. Prior to that work, he was the Director of Conservation International's Fiji Country Programme (4 years); Environmental Services Manager (Pacific islands) for Sinclair Knight Merz Engineering Consultants (3 years); Health Safety and Environment Manager for Shell Pacific Islands Limited (3 years), and a number of senior technical positions within the Fiji Government's Environment and Agriculture Departments (6 years).

ANNA OPOSA

Executive Director, Save Philippines Seas



Anna Oposa is the Executive Director and “Chief Mermaid” of Save Philippine Seas (SPS), a movement to conserve the Philippines’ coastal and marine resources through education and community-based projects. She focuses on policy development, waste management, shark conservation, and youth empowerment.

Outside SPS, Anna has served as a consultant for the Climate Change Commission, Asian Development Bank (ADB), and Oceana, among others. She has co-written a workbook entitled *An Introduction to Climate Change for Filipino Youth*. For ADB, she has worked on projects related to youth policies, illegal wildlife trade, and environmental education. She is currently a consultant for ADB to support the development of its ocean health agenda.

Anna’s work has been recognized in the Philippines and abroad. In 2011, Yahoo! Southeast Asia named her as one of the seven inspiring modern-day Filipino heroes. In 2012, she received the Future for Nature Award. At 25 years old, she was identified as one of Devex’s 40 International Development Leaders Under 40.

Anna obtained her MSc in Conservation Science from Imperial College London through the Chevening scholarship. In 2017, she was one of the three Global Fellows for Marine Conservation at Duke University.

COLIN PHILP

Co-Chair of Duavata Sustainable Tourism Collective, Fiji



Colin Philp is the Resort Manager at Leleuvia Island Resort and the President of the Uto ni Yalo Trust. Colin is a sailor and a sail maker by trade who ran a successful manufacturing business as well as a chain of surf shops throughout Fiji for a number of years before deciding he needed a change and opportunity came knocking when he was asked to run Leleuvia in 2011. Colin's affinity to the 'vanua' (land) and 'waitui'

(ocean) especially the latter had him involved in the Fiji Islands Voyaging Society in 2009 (now named the Uto ni Yalo Trust). Colin, ever the entrepreneur still owns and runs a small canvas and distribution business, which sells biodegradable cleaning products. He is passionate about environmental and marine conservation and is the co-chair of the Duavata Sustainable Tourism Collective.

SARAH QUEBLATIN

Co-Founder and Executive Director, Green Releaf Initiative, Inc.



Sarah Queblatin is a regenerative solutions designer weaving volunteer work, nonprofit management, and consulting experiences in environmental education, cultural heritage, peacebuilding, and humanitarian assistance for the last 20 years. After responding to conflict and natural disasters in the Philippines, she was inspired to form Green Releaf in 2009 to support multi-stakeholder leadership in regenerative solutions after emergencies.

Sarah specializes in permaculture and ecovillage design for development through knowledge and skills learned from the Global Ecovillage Network, Gaia Education, and the Blue Mountains Permaculture Institute. She actively advocated for best practices in this field in UN climate conferences and other platforms.

She is passionate about indigenous and spiritual ecology as key to addressing the climate crisis. Her passion project, Soil, Soul, Story, promotes the protection and restoration of cultural and ecological heritage for food security, regenerative livelihood, and ecosystem restoration in climate and conflict vulnerable communities.

Sarah holds a Bachelor's Degree in Social Sciences from Ateneo de Manila University, units in Expressive Arts for Conflict Transformation and Peacebuilding at the European Graduate School, and a Certificate in Ecopsychology from Pacifica Graduate Institute.

ANDREW RAINE

Head of the International Environmental Law Unit, UN Environment



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SONIA CHAND SANDHU

Principal Knowledge Sharing and Services Specialist, ADB



Sonia's expertise spans environment engineering, urban resilience, and sustainable development. She is Principal Knowledge Management Specialist at ADB's Sustainable Development and Climate Change Department. With 26 years of international cross-regional development experience, across multi-sector infrastructure operations at ADB, the World Bank (South Asia, Africa) and the private

sector, Sonia has developed innovative business lines; ensured due diligence and quality assurance in operations; published strategic knowledge solutions and contributed to building institutional capabilities. Key work areas include livable and resilient cities, environment policy, inclusive green growth, nature based solutions, coastal and watershed protection and investments in transport, energy, water resources, and rural development. She holds a Master of Science degree in environment engineering from University of Maryland at College Park USA, a Bachelor's in Architecture from Chandigarh, India, Certificate of Completion, "Leading Economic Growth" Program, Harvard University, John F. Kennedy School of Government, Executive Education and an Executive Diploma in Urban Management Tools for Climate Change from Institute for Housing and Urban Development Studies, Erasmus University Rotterdam, Netherlands.

MARIA CECILIA T. SICANGCO

Climate Change Law and Policy Specialist (Consultant), ADB



Maria Cecilia T. Sicangco is a Climate Change Law and Policy Specialist/Knowledge Management Specialist (Consultant) under the Law and Policy Reform Program of the Asian Development Bank (ADB). Her work includes environmental law, climate change law and policy, women's legal literacy and access to justice in Islamic countries, gender sensitization, and energy and water sector regulation in Southeast Asia and small-island developing states in the Pacific.

Prior to joining ADB, Cecille was a Fellow at the International Development Law Organization (IDLO), an international organization headquartered in Rome, Italy. She edited the publication *Consumer Protection and Microfinance – Country Reports*, a book that discusses the current state of the microfinance industry in India, Colombia, Kenya, and Cameroon, and sets forth legislative and policy recommendations to better protect microfinance consumers. She also collaborated on an academic research project regarding the international normative and administrative drivers of domestic rule of law.

Cecille holds a Bachelor of Applied Economics and Accountancy double degree (cum laude) from De La Salle University and a Bachelor of Laws degree (cum laude, salutatorian) from the University of the Philippines. Thereafter, she pursued a Master of Laws in International Legal Studies degree from New York University where she was the Starr Foundation Global Scholar, Hauser Scholar, and Thomas M. Franck Scholar in International Law. She is qualified as an Attorney and Counsellor at Law in the State of New York (United States of America) and the Republic of the Philippines.

KASI TAUKEINIKORO

Co-Chair of Duavata Sustainable Tourism Collective, Fiji



Kasimiro T. Taukeinikoro holds a Bachelor of Arts in Business Management (1999) from the School of Business Management, University of the South Pacific, Fiji.

He is a Director of Rivers Fiji.

SANJAY UPADHYAY

Founder and Managing Partner, Enviro Legal Defence Firm, India

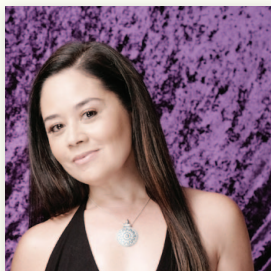


Sanjay Upadhyay, Advocate, Supreme Court of India, is the Founder and Managing Partner of the India's first environmental law firm, Enviro Legal Defence Firm. Sanjay has been practicing environment and development law since 1993. An India Visiting Fellow at the Boalt Hall School of Law, University of California, Berkeley (Fall 1996) and a legal intern to the Earth Justice Legal Defense Fund, San Francisco,

a Global Fellow in Marine Policy at the Duke University, North Carolina, he started his professional career at the World Wide Fund for Nature–India at the Centre for Environmental Law. Sanjay has served as an environmental and development law expert to most well known international, multilateral, national and state institutions including the World Bank, ADB, IUCN, DFID, AFD, FAO, UNDP, IIED, and ODI to name a few. He has been in the drafting committees of several laws in India and abroad including Wildlife Act, Forest Rights Act, Nagaland Biodiversity Rules, Land Acquisition Law of Afghanistan, Forest Sector Policy of Himachal Pradesh, Medicinal Plant Policies of Arunachal Pradesh and Uttarakhand, and most recently the Indian Forest Act among others. Sanjay practices in the Supreme Court of India and particularly in the National Green Tribunal. Sanjay is also interested in music especially sufi, ghazals, and therapeutic music.

MONIQUE WILSON

Actress and Director, One Billion Rising



Monique Wilson is an international theatre actress, director, educator, and activist from the Philippines. She is the Artistic Director and Founder of the New Voice Company (Philippines), producing political theatre work. She also produced Eve Ensler's "The Vagina Monologues" around Asia since 2000, helping change laws on sex trafficking/domestic violence in the Philippines with performances in the Senate and Congress.

She is a recipient of numerous theatre and activism awards: TOWNS (The Outstanding Women in the Nation's Service) Award, Outstanding Artist of Manila Award, Honor of the Country Award (Theatre), FAMAS Film Foundation Award, UNESCO/International Theatre Institute "Light of Culture" Lifetime Achievement Award (Theatre/Activism), St. Scholastica's College Hildegard Lifetime Achievement Award (Art, Culture, Women Empowerment), Filipino Women's Network 100 most influential Filipinas in the world, Boy Abunda LGBT Rights Award, 100 Most Influential People in Global Policy – Gender Equality (2019).

She is a member of GABRIELA (National Alliance of Grassroots Women's Organizations/Philippines), an international spokesperson for the Purple Rose Campaign to end sex trafficking of Filipina women/children, spearheads campaigns for LILA PILIPINA comfort women group/ Philippines, performed at the 2000 Comfort Women Tokyo War Crimes Tribunal, and a judge in the 2012 International Migrants Tribunal on GFMD (Global Forum on Migration and Development) finding 35 countries guilty of exploiting grassroots migrants. She had training from the London Academy of Music and Dramatic Arts, the Central School of Speech and Drama (MA in Applied Theatre and Drama Education with distinctions), and the East 15 Acting School/London. From 2008–2012, she headed and spearheaded the MA/MFA Acting International Course. From 2013 to the present, she is Global Director of One Billion Rising—a global movement to end violence against women and girls. She also has been touring the world—heading, shaping, and mobilizing anti-violence campaigns for women.

FACILITATORS

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MATTHEW BAIRD

Director, Asian Research Institute for Environmental Law



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BRIONY EALES

Climate Change Law and Policy Specialist (Consultant), ADB



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SEFANAIA NAWADRA

Head, UN Environment Pacific Office



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ANDREW RAINE

Head of the International Environmental Law Unit, UN Environment



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MARIA CECILIA T. SICANGCO

Climate Change Law and Policy Specialist (Consultant), ADB



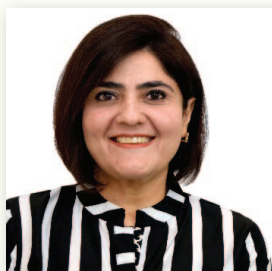
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ASIAN DEVELOPMENT BANK

in alphabetical order

IRUM AHSAN

Principal Counsel, Law and Policy Reform Program, ADB



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GREGORIO RAFAEL P. BUETA

Legal and Policy Specialist (Consultant), ADB



Grip is currently an expert Legal and Policy Consultant with ADB's Law and Policy Reform Program.

He has extensively worked with judiciaries and legal professionals across Asia and the Pacific on environment and climate change law and adjudication. Grip has also been involved in legal and regulatory reforms in South Asia in areas such as energy trade and corporate governance. Prior to joining ADB,

he headed the Strategic Initiatives Management Office in the Office of the President of the Philippines focusing on environment and climate change related government policies and programs.

As a private legal practitioner and independent consultant, Grip is an advocate for environmental rights and justice, protection of biodiversity, promotion of human rights, development of good governance, and corporate sustainability.

He has written several published works on environment and natural resources law and human rights. Grip has also worked with the United Nations Development Programme, the Philippine Judicial Academy, the Ateneo School of Government, the Council for the Welfare of Children, Ayala Corporation, AC Energy, the EcoWaste Coalition, Laban Konsyumer, Inc., and various NGOs and private companies. He is also currently an Expert Member of the International Union for the Conservation of Nature – World Commission on Environmental Law.

Grip has a Bachelor of Arts degree in Political Science from the Ateneo de Manila University. He earned his Juris Doctor Degree from the same institution and was the recipient of the St. Thomas More Most Distinguished Award for his graduating class. He currently lectures on Natural Resources and Environmental Law at the Ateneo Law School.

FRANCESSE JOY J. CORDON-NAVARRO

Senior Law and Policy Reform Specialist (Consultant), ADB



Atty. Francesse Joy J. Cordon-Navarro is a consultant senior legal and policy reform specialist at ADB's Law and Policy Reform (LPR) Program, working on projects focused on environment and climate change, corporate governance, international arbitration, and gender justice since 2013.

Outside ADB, Atty. Cordon-Navarro worked as an associate at Siguion Reyna, Montecillo & Ongsiako Law Offices, consultant for the University of the Philippines Law Center, lecturer on law, children, and the environment at the Oxbridge Academic Programs in Cambridge, and mandatory continuing legal education (MCLE) seminar lecturer on international environmental law at the University of the Philippines. She graduated magna cum laude in BS Business Economics in 2007 and with a dean's medal for academic excellence in Juris Doctor (Law) in 2011 from the University of the Philippines. She finished her masters in Environmental Policy at the University of Cambridge. Atty. Cordon-Navarro has published on international environmental law, sustainable development principles and international children's rights.

MA. CELESTE GRACE SANIEL-GOIS

Senior Legal Operations Officer, ADB



Ma. Celeste Grace Saniel-Gois is a Senior Legal Operations Officer at the Office of the General Counsel (OGC) of the Asian Development Bank (ADB). She provides technical, analytical, and coordination support for OGC's Law and Policy Reform Program.

She has been with ADB for 20 years. Before joining OGC, she was a member of the urban sector team, administering regional technical assistance (TAs) on urban infrastructure projects. She was also a member of the gender and development team of ADB, serving as coordinator for the multi-donor Gender and Development Cooperation Fund, which provided resources for regional TAs aimed at building gender capacity and conducting research on emerging and critical gender issues.

She holds a masters degree in Social Services and Development from the Asian Social Institute, Manila; academic credits for a masters degree in Women and Development at the University of the Philippines; and a Bachelor's degree in Communication Arts at St. Scholastica's College, Manila.

MARIA CECILIA T. SICANGCO

Climate Change Law and Policy Specialist (Consultant), ADB



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UNEP'S SECRETARIAT

**EMELINE PLUCHON**

Environmental Law Specialist, UN Environment

Emeline Pluchon is an Environmental Law Specialist with UN Environment's Regional Office for Asia and the Pacific. Prior to joining UN Environment, Emeline worked as an in-house lawyer in an energy company in Paris, where she was responsible for providing legal advice on environmental matters related to offshore projects. Emeline holds an LLM in International Energy and Environmental Law from the University of Oslo and a Masters in Comparative Law from the University of Paris Panthéon Sorbonne.

**ANDREW RAINE**

Head of the International Environmental Law Unit, UN Environment

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**SARANYA ROJANANUANGNIT**

Programme Assistant, Law Division,
UN Environment

Saranya has been Programme Assistant at the Law Division of the UN Environment Regional Office for Asia and the Pacific since 2014. Her main responsibility is to provide support to governments, enforcement agencies, and academies in the establishment of environmental law activities in the region. Prior to joining the Law Division, Saranya worked as an assistant at the South China Sea Project (SCS/GEF) and Poverty-Environment Initiative (PEI).

SUPREME COURT OF FIJI

JUSTICE SURESH CHANDRA

Resident Justice of Appeals, and Chair, National Judicial Education Committee



■ Admitted to the Bar in Sri Lanka as an Advocate in 1972 after having obtained a Bachelor of Laws (LL.B.) Degree from the University of Colombo, Sri Lanka. Obtained a Master of Laws (LL.M.) Degree from the University of Colombo.

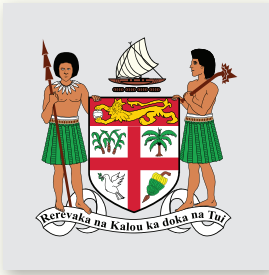
■ Was a Practitioner at the Private Bar and appeared as Counsel in the Original Courts as well as the Appellate

Courts from 1972 to 2008, and was a Consultant to several leading Banks, Private and Public Institutions. Served as a member of the Panel of Arbitrators of the National Arbitration Centre.

■ Was a Visiting Lecturer, Course Director and Examiner at the Faculty of Graduate Studies of the Colombo University. Was also a visiting Lecturer and Examiner at the Open University of Sri Lanka, Moratuwa University and the Sri Lanka Law College. Experience as a Lecturer for over 30 years. Was a Senior Consulting Editor of the Colombo Appellate Law Reports. Was a Consultant to the World Bank on the Land Titling Project in Sri Lanka and was a Consultant to USAID Projects in association with Nathan Associates of USA and was instrumental in structuring the Coir Council, the Ceramics Council, the Spice Council for the first time in Sri Lanka. Also served as a Legal Consultant for the Tea Sourcing Partnership of London. External Collaborator and Consultant to the International Labour Organization in Colombo, Sri Lanka and conducted seminars and workshops for High Court Judges and Labour Tribunal Presidents and Labour Ministry Officials. Has attended several International Conferences and Seminars.

- Was the Senior Legal Consultant to the Southern Development Authority in 1996. Was the Legal Consultant on Industrial Relations of the Board of Investments of Sri Lanka from 2007 to 2008, Member of the National Labour Advisory Council of Sri Lanka and a member of the Labour Law Reforms Committee of the Ministry of Labour in 2007–2008.
- Served as the Deputy Permanent Representative of Sri Lanka to the United Nations in New York in 2009.
- Was appointed as a Judge of the Supreme Court of Sri Lanka on 17 June 2010. Retired from the Supreme Court on 3 July 2012.
- Was appointed as a Judge of the Supreme Court in Fiji in October 2011 and was appointed a Resident Justice of Appeal in September 2012. National Coordinator of the National Judicial Education Committee, Chairperson of the Fiji Law Reports Committee, Committee Member and Accredited Mediator of the Fiji Mediation Centre having been accredited by the Singapore Mediation Centre.
- Was a cricketer who played in the super league in Sri Lanka, was involved in cricket administration, coached junior teams and a national radio cricket commentator for over 10 years.
- Was involved in social work with Lions International in Sri Lanka and held the position of Cabinet Secretary in Lions Club International District 306A1.

**ZARINA BI****VILIAME COKANAUTO**

**ETESWA DEO****MANORAMA DEVI****SALAWAI DONU****NITESH KUMAR****JUSTICE YOHAN LIYANAGE**

Chief Registrar, Supreme Court of Fiji



Mr. Yohan Liyanage was first appointed to the Fiji Judiciary as a Resident Magistrate in 2011. His legal career started after the completion of legal studies with First Class Honours at Sri Lanka Law College.

He completed apprenticeship under Mr. Palitha Fernando, President's Counsel and the former Attorney General of Sri Lanka. In 2002, he worked as a Research Assistant to the Parliamentary

Sub Committee Chaired by then Minister for Foreign Affairs. This Committee granted the mandate to introduce new legislation in respect of provisions relating to Contempt of Court in Sri Lanka.

In 2003, he was admitted as a Legal Practitioner in the Supreme Court of Sri Lanka.

2004 Mr. Liyanage joined the Attorney General's Department in Sri Lanka as a Prosecutor and later appointed as a State Counsel. He worked eight years in this capacity before moving to Fiji. He was a member of prosecution teams in many landmark cases in Sri Lanka.

In 2011, the Attorney General's Department of Sri Lanka released him to join the Fiji Judiciary.

In March 2013, Mr. Liyanage was appointed to the Office of the Chief Registrar in Fiji. He is the Chief Executive and the Chief Accounting Officer of the Judicial Department. Also he serves as the Secretary to the Judicial Services Commission and the Regulator of Legal Profession in Fiji.

During his period the Judicial Department has won "Achievement Award" in 2013 and 2014 at the Fiji Public Service Excellence Awards. In 2016 the Department was awarded "Achievement in Business Excellence" by the Fiji National University.

Mr. Liyanage was instrumental in introducing video recording of court proceedings, reforms to the court's transcribing system, court hearings through video link from Corrections facilities, regularised judicial services to all outer islands including Lau & Lomaiviti groups and mediation services through setting up the Fiji Mediation Centre.

In 2015, he was appointed as the Chairman of the Arbitration Court in Fiji. Mr. Liyanage was recently elevated as a Judge of the High Court in addition to his current duties and responsibilities.

He serves as a Commissioner to the Legal Aid Commission, and as a Board member of the Board of Legal Education. He is a Barrister in Fiji and a Life Member of the Bar Association of Sri Lanka. He is an old boy of Ananda College, Colombo.



IVAMERE NALOHEVU



RAVINESH PILLAY



VASITI ROKOVESA



SALEN SHARMA

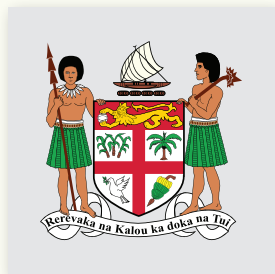


VENINA SUGUTURAGA

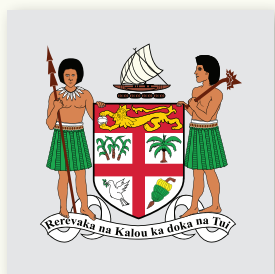


STEVEN TOTOKA

MINISTRY OF ECONOMY

**SEREMAIA SERU**

MINISTRY OF FOREIGN AFFAIRS

**ANA TURAGA**
PROTOCOL OFFICER

