

TECHNICAL ASSISTANCE COMPLETION REPORT

Division: Environment and Social Safeguard Division (RSES)

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TA No., Country and Name TA 5658-REG: Capacity Building for Environmental Law Training in the Asia and Pacific Region			TA Amount Approved: \$600,000 Revised Amount: Not applicable		
Executing Agency: The World Conservation Union (IUCN)		Source of Funding: Japan Special Fund (JSF)		Amount Undisbursed \$12,635.67	Amount Utilized \$587,364.33
Date of Report Approval 5 December 1995			TA Completion Date Original 30 June 1998		
Signing 14 May 1996			Actual 30 September 2003		
Fielding of Consultants 21 June 1996			Account Closing Date Original 31 December 2001		
			Actual 18 February 2004		
Description In 1994, ADB welcomed a request from The World Conservation Union (IUCN), in partnership with the Faculty of Law of the National University of Singapore (NUS) and the United Nations Environment Programme (UNEP), to strengthen and expand the environmental law expertise of people and institutions of the Asian and Pacific region, particularly in universities, governments, private sector, and NGOs. It also enables to implement international treaties through national legislation. In December 1995, ADB provided a technical assistance of \$600,000 to IUCN and its partners, with the United Nations University and the United Nations Institute for Training and Research, to teach two intensive environmental law courses at NUS. More than 30 resource persons taught in each of these two courses, on a pro bono basis. The 63 law professors participating as trainees in these courses were from 15 countries, consisting of Bangladesh, Cambodia, People's Republic of China, Fiji Islands, India, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, and Viet Nam. Subsequently, IUCN, acting mainly through three members of its Commission on Environmental Law, edited the course material into a two-volume environmental law book to facilitate the development of environmental law in the Asian and Pacific region using local resources and frameworks appropriate for this region, which are not necessarily the same as those in many previous publications utilizing European or North American Frameworks. Objectives and Scope The objective of the TA was to establish a regionally focused program to "train the trainers" and thereby strengthen the teaching of environmental law in the developing member countries (DMCs). The regional TA was also designed to increase cooperation and distribute environmental law materials among legal educators and academic institutions in DMCs. The TA scope had the following elements: (i) two summer training courses at NUS for law lecturers and other legal educators from the region, (ii) preparation of teaching materials for the training course, and (iii) publication of the teaching materials for use by academics throughout the region originally planned as a simple textbook and subsequently in the form of a universally-used publication. Evaluation of Inputs The performance of the two consultants under the terms of reference was excellent. IUCN, the Executing Agency, provided all necessary counterpart facilities and inputs. In particular, IUCN, an international NGO, acting through its Commission on Environmental Law and the IUCN Environmental Law Centre in Bonn, provided the principal environmental law expertise to organize and carry out this TA. As contemplated under the TA Board Paper, NUS, acting primarily through its Asia-Pacific Centre for Environmental Law, provided: (i) physical facilities and administrative support, and (ii) support from experts on its Law Faculty as instructors and in the development of the curriculum and the teaching materials. To edit the book, NUS provided both faculty and support staff as did the Centre for Environmental Law at Macquarie University in Australia. UNEP, the central body engaged in environmental conservation within the UN system, acting through its Environmental Law and Institution Programme Activity Center, also participated in all phases of the TA. The value of the in-kind and in some instances financial donations to this TA primarily from NUS, UNEP and about 200 other contributors substantially exceeded the TA amount (\$600,000) from ADB.					

Evaluation of Outputs

The TA significantly contributed to environmental law institution building and training of environmental law professors in the region and as an offshoot in West Asia and North Africa. The TA provided the primary incentive for NUS to establish the Asia-Pacific Center for Environmental Law, the leading environmental law center in the Asian and Pacific region in the year 2002. Under the TA, 63 law professors from 15 DMCs were trained. The TA was directly responsible for the publication of teaching materials in the form of the two-volume book with more than 1800 pages entitled *Capacity Building for Environmental Law in the Asian and Pacific Region: Approaches and Resources*. This is the first comprehensive environmental law book based primarily on materials from the region. This publication is also innovative in its combination of national sectoral and international approaches to the teaching of environmental law in the region.

The publication has also catalyzed the following additional measures:

- Establishment of an Environmental Law Center in Lahore at Punjab University, using the book to advance environment law teaching in Pakistan;
- A decision of the IUCN-Arab Regional Center for Environmental Law (ARCEL) at Kuwait University to prepare a comparable set of book for Arab states in West Asia and North Africa;
- Use of the book in the IUCN's Programme for Promoting Environmental Law in China (PELC) with Wuhan University, to advance curricula for environmental law teaching in China's law schools; and
- Use by Arlanga University in Indonesia of the materials to conduct a workshop "training the trainers."

ADB's original printing of this book in early 2002 consisted of 1000 hard cover copies and 3000 CD-ROM with booklet. Copies of the CD-ROM of the book have been distributed to about 160 ADB depository libraries. About three dozens of hardback copies of the book were distributed to members of ADB's Board of Directors. More than 300 hardback copies of the two-volume book have been sold to the general public, primarily to law professors, students and libraries, while about 500 hardback copies have been distributed free of charge to law schools, judges, administrators and others throughout the Asian-Pacific region. Of these 500, 100 hardback copies were distributed at five book launch seminars, which were attended by about 350 people. The book launches were held in Bonn, Lahore, Singapore, Washington, D.C., and Tokyo. IUCN sold the CD-ROM during three events in conjunction with the World Summit on Sustainable Development (WSSD) in South Africa in August and September 2002. IUCN has featured on its website significant events concerning this TA, particularly information concerning the book launches and a meeting between ADB's President, IUCN's editors, and several others. The second edition that contains updated information was printed as 500 hard cover copies in October 2003.

Since the publication of the book was an ambitious addition to the TOR, the TA lasted exceptionally long. Thanks to the long incubating period with huge intellectual contribution by IUCN, the book became one of the best sellers among ADB publications, and the second edition was highly expected and finally published.

Overall Assessment and Rating

The TA is considered to be successful because it achieved the TA objectives through (i) training of 63 law professors from 15 DMCs; (ii) production of a significant two-volume publication used regularly by judges, professors, and others; (iii) additional capacity building in the Asia-Pacific region as described above under Outputs; (iv) demonstration of the value of ADB cooperation with a leading NGO; and (v) creation of a network among environmental law experts in the region.

Major Lessons Learned

Major benefits are to be realized in working closely with NGOs which share ADB development goals and objectives. Capacity building, especially when NGOs constitute the Executing Agency and provide the primary resource persons for TA implementation, can take far longer to achieve than other technical assistance because NGO members have a regular work such as university professor. However, their voluntary contribution to the TA enriches the quality of the outputs. ADB learned that valuable lessons concerning the importance of sustainable development and poverty reduction could be taught in the context of environmental law training and publications in cooperation with a leading NGO in this field.

Recommendations and Follow-up Actions

IUCN should be requested to submit a plan concerning the distribution of the second edition. Consideration should be given to preparation of a summary of the book in languages of ADB DMCs. ADB should consider the production of CD-ROM for the second edition of the book.