



Delegates attending the Coal Seam Gas Conference 2011

2011 EVENTS

Coal Seam Gas Conference

On Friday, 17th June 2011 ACCEL hosted the conference on 'Regulating coal seam gas: implications for energy, food and water security'. The keynote was given by Professor Alan Randall, Faculty of Agriculture, Food & Natural Resources. Presentations were also received from Brad Mallard, Industry and Investment, Govt of NSW; Fiona Simson, Vice President, NSW Farmers Association; Dr Nicola Durrant, Queensland University of Technology; Nicola Franklin, Sydney Law School.

The conference discussed the potential impact of coal seam gas mining along with concerns about regulation and management. Presentations addressed the NSW Government's commitment to a Strategic Regional Land Use policy, which was responded to with questions about the impact on our

valuable food producing land and water; and how can we protect our ability to feed ourselves into the future. Additionally critical overviews were given on regulatory approaches to CSG projects in Queensland and New South Wales.

Deep Water Horizon: What happened, why and where do we go from here?

On 23 May 2011, Sydney Law School and Sydney Ideas collaborated to present the lecture given by Frank Alcock, Associate Professor of Political Science at New College of Florida and Director of Environmental Studies. The lecture was chaired by Professor Rosemary Lyster, Director of the

Australian Centre for Climate and Environmental Law (ACCEL). Using the Deepwater Horizon disaster as an example, Professor Alcock drew on salient themes such as a regulatory regime and industry culture being poorly suited to managing risks, the absence of meaningful contingency planning, and considerable uncertainty regarding medium to long term impacts and implications. He also included brief reflection on the findings of Australia's Montara Commission of Inquiry.



Assoc. Professor Frank Alcock at Energy Dialogue

2011 EVENTS

(January - June)

Energy Dialogue

On 23 May 2011 the Australian Centre for Climate and Environmental Law (ACCEL) collaborated with the US Studies Centre (USSC) to host an interdisciplinary 'Energy Dialogue' with Professors from the University of Texas. Topics for discussion included the energy/water nexus, carbon capture and storage, wind power, smart grids, carbon policy and coal seam gas in Australia.

The dialogue was opened by Professor Gillian Triggs, Dean of the Sydney Law School and co-hosted by Professor Rosemary Lyster and Cameron O'Reilly on behalf of the

USSC. Dr John Higley, founder of the proposed Australia-Texas energy dialogue, led the University of Texas delegation. University of Texas presenters included Dr Carey King, Dr Ian Duncan, Dr Suzanne Pierce and Dr Ross Baldick. Presentations were also given by: Mr Justin Flood (Project Manager Demonstration CCS, Delta Electricity); Professor Rosemary Lyster, Master of Environmental Law students Con Van Kemenade and Andrew Newman; Professor Tony Vassallo, Delta Electricity Chair in Sustainable Energy Development; and Dr Soryong Chae and Dr Gregor

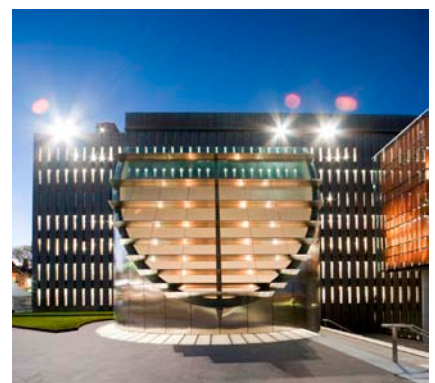
Verbic from the School of Chemical & Biomolecular Engineering. Professor Frank Alcock, Senior Fulbright Scholar to New Zealand/Assoc Prof of Political Science at New College of Florida and Professor Jonathan Verschuuren from Tilburg University also attended the dialogue along with Masters and PhD students from both Sydney Law School and School of Chemical & Biomolecular Engineering also participated in the presentations and discussions.



Energy Dialogue Meeting hosted by the USSC, ACCEL and Energy Retailer's Association

Seminar Series

The seven-week ACCEL seminar series was presented by members of ACCEL, who shared their expertise in key areas of environmental law, including climate change, environmental impact assessment, biodiversity and water. The series provided an overview of recent developments in these areas to allow participants to stay up to date in this rapidly changing field.



2010 EVENTS

(June - December)



Professor Rosemary Lyster and John O'Connor, CEO of the Climate Institute and Board Member of ACCEL

Resilience & Climate Change: Law's Response?

On 26-27 August 2010, ACCEL collaborated with the Institute for Sustainable Solutions at the University of Sydney to present the annual conference entitled 'Resilience and Climate Change: Law's Response?' The specific focus of this conference was the resilience of Australia's biodiversity, water, coasts and cities in the context of global climate change. The event was conducted over two days and sponsored by Malleson Stephen Jacques.

Professor Rosemary Lyster secured over 20 high profile speakers: 16 speakers were from external research institutes and law firms who work in climate and environmental law. The conference was opened by John O'Connor, CEO of the Climate Institute and ACCEL Board Member.

The conference was attended by an interdisciplinary audience including lawyers, scientists, economists, academics, policy-makers, consultants, and non-government organisations. More information about the conference speakers is provided in the ACCEL Conference Program, available on the ACCEL website.

Inaugural Kevin McCann Lecture on Energy & Resources

On 29 September 2010, Sydney Law School hosted the inaugural annual Kevin McCann Global Energy Resources Law address. The address was hosted by Professor Rosemary Lyster and presented by Dr Ziggy Switkowski, Chair of the Australian Nuclear Science and Technology Organization. His address was entitled 'Nuclear Power in the Context of Climate Change and Energy Security'. The address traced the growing importance of nuclear technology around the world, examined concerns with its use, and concluded that nuclear power cannot be excluded if Australia is to meet its energy and climate change targets.

Confronting the Greenhouse Gas Conundrum in a Climate of Uncertainty

As part of the Distinguished Scholar Lecture Series Professor Rosemary Lyster delivered a seminar in October 2010 on regulating greenhouse gases, which has emerged as one of the most crucial issues of the 21st Century in the context of considerable uncertainty. Professor Rosemary Lyster discussed: the future of international climate change negotiations; controversies around climate science and how the economic implications of climate change interface with the law-making process; economic instruments governments should adopt to signal a price on carbon - a carbon tax or an emissions trading scheme; the need for complementary measures such as renewable energy and energy efficiency schemes; whether the regulation of greenhouse gases poses any unique challenges to the notion of law.

AWARDS

On 14 September 2010, the IUCN Academy announced Dr Tim Stephens as one of the two winners of the Second Annual Scholarship Prize at the Eighth Colloquium in Ghent, Belgium. Dr Tim Stephens was recognized for the: originality and intellectual influence of his scholarship, international significance of his scholarship, enhancement of research collaboration among scholars and persons from different institutions and regions and, advancement of the aims of the IUCN Academy. Although Dr Tim Stephens was not at the Colloquium, he conveyed his sincere thanks to the Academy, through his Sydney colleague, Ben Boer.

The New Zealand Law Foundation has awarded Emeritus Professor Ben Boer its 2011 Distinguished Visiting Fellowship. The purpose of the fellowship is to support the wider objectives of the NZ Law Foundation, and in particular to provide opportunities for the acquisition and diffusion of legal knowledge, and for practical legal training for practitioners and law students. Emeritus Professor Ben Boer gave a series of lectures and workshops on environmental law, focusing in particular on several of his current research interests, including protected areas law and climate change, human rights and environmental law, and the implementation of the World Heritage Convention at national level.

Emeritus Professor Ben Boer was also awarded a Fernand Braudel Senior Fellowship for three months at the European University Institute in Florence, from September to November in 2010.

More information about the awards is available on the ACCEL website: sydney.edu.au/law/accel

DEVELOPMENT

On 28 July 2011 the Minister for Climate Change and Energy Efficiency, Greg Combet, visited the Sydney Law School and was hosted by Professor Rosemary Lyster. The Minister addressed students and staff at Sydney Law School on the importance of legislation to establish a carbon price in the Australian economy. The Minister outlined how the Bills to implement the Federal Government's Clean Energy Plan will set out a framework for pricing carbon pollution and transitioning to a clean energy future. Further details about the Government's plan can be found at www.cleanenergyfuture.gov.au.

At the request of the IUCN Academy of Environmental Law, Emeritus Professor Ben Boer, travelled to Wuhan to assist with the first 'Advanced

Training the Teachers' (TTT) course for professors from some 20 Law Schools across China. On the basis of this course, selected Chinese senior scholars will carry out successive training programmes for more junior colleagues and submit proposals to host the TTT.

On 21 February 2011, Professor Rosemary Lyster attended lunch at Government House for the Mongolian Prime Minister and a mining industry delegation to discuss ACCEL support for the improvement of Mongolian Environmental Impact legislation

IUCN Academy of Environmental Law Annual Colloquium, Ghent University, Belgium (September 2010) The theme of the colloquium was Linkages

between Biodiversity and Climate Change. Emeritus Prof. Ben Boer gave a paper on 'Protected Areas and Climate Change: The Natural Solution' and Ms Susan Shearing presented a paper titled 'Marine Biodiversity and Climate Change: What is the Role of the Law in Facilitating Climate Change Adaptation?'



2011 PRESENTATIONS & CONFERENCE PAPERS

January

Ross Abbs, Peter Cashman and Tim Stephens presented 'Climate Change Liability in Australia', Climate Change Liability Conference, Herbert Smith, London, United Kingdom

March

Rosemary Lyster was Keynote speaker on 'Women and Climate Change' at International Conference on Women in Science and Engineering, Perth.

Kate Miles presented a final draft of a book chapter at the International Law Association workshop of the ILA Study Group on the Role of Soft Law Instruments in International Investment Law at the University of Vienna.

Tim Stephens presented 'Whaling and

the International Court Action', The Maritime Law Association of Australia and New Zealand, The Biennial Mini Conference 2011: Navigating Through Uncharted Waters-Legal Challenges for the Maritime Industry in 2011, Katoomba, NSW.

April

Rosemary Lyster was Keynote speaker on 'Rescuing climate science from politics: on whose authority?' and was part of a four-person panel in a public event hosted by Paul Willis on 'Is science just another voice in the policy debate?', The Authority of Science Conference. Sydney Centre for the Foundations of Science, University of Sydney, Australia, Tilburg Center for Logic and Philosophy of Science, Tilburg University, The Netherlands.

May

Ben Boer presented 'Biodiversity, Climate Change and Protected Areas', Annual Conference, Law for Green Planet Institute, São Paulo, Brazil.

July

Andrew Edgar delivered a paper on extended standing for environmental groups at the National Administrative Law Conference: Democracy, participation and administrative law.

Tim Stephens presented the Keynote Address 'Re-Imagining International Water Law', International Union for the Conservation of Nature, Academy of Environmental Law, Annual Colloquium, Eastern Cape, South Africa.

VISITORS

ACCEL was delighted to welcome Prof. Dr. Jonathan Verschuuren as a Visiting Research Fellow at the Sydney Law School between January-August 2011. Jonathan is Professor of International and European Environmental Law at the Tilburg Law School, The Netherlands. While at Sydney Law School, Professor Verschuuren presented a guest lecture in the new Coastal Adaptation Law unit. He also conducted collaborative research with members of ACCEL to identify existing legal barriers to climate change adaptation measures

in Australia and north and central Europe. These regions face similar as well as divergent effects of climate change. The comparative study will consider the extent to which existing conservation and natural resource laws establish barriers to adaptation and will develop possible legal approaches that may facilitate adaptation. A particular focus of the proposed research will be in the area of terrestrial and marine biodiversity laws.



From 19-22 July 2010 Professor Rosemary Lyster and Professor Kurt Deketelaere from Leuven University in Belgium co-taught a unit titled 'Comparative Climate Law', which was held at the Moller Centre, Cambridge University, as part of the Sydney Law School's LLM in Europe.

Professor Deketelaere is the Director, Institute for Environmental and Energy Law, Faculty of Law, University of Leuven and specialises in environmental and energy law and comparative environmental and energy law, as well as construction law, public law and administrative law.

The objectives of the course were to: analyse the different ways in which three jurisdictions, the European Union, the United States and Australia, have responded to the phenomenon of global climate change; consider their responses situated within the international legal framework for climate change, the United Nations Framework Convention on Climate Change, the Kyoto Protocol and the Copenhagen Accord; and to discuss the latest climate change science and economic modelling on climate change to provide a context for understanding the legal responses.

Professor Han Somsen is Vice Dean of Tilburg Law School and an expert in the field of technology regulation. Within this rapidly developing field, he concentrates mostly on medical and agricultural biotechnology. In addition, he frequently publishes on issues of EC environmental law. In June 2010 he co-taught a unit 'Genetically Modified Organisms and Environmental Law' with Professor Rosemary Lyster. Han

is a member of the International Law Association Committee on International Law and Biotechnology, European advisor "Water Law" (LawText), Founder and editor of *Law, Innovation and Technology* (Hart), series editor of *Biotechnology Regulation Series* (Edward Elgar) and associate fellow at the School of Law of Warwick University.



COMMENT

June 2011

- [‘A Philosophical Approach to Climate Change’ by Prof. Rosemary Lyster](#)

May 2011

- [‘Whaling in the Antactic’ by The Dean, Prof. Gillian Triggs](#)
- [‘Cardinal Pell’s Climate Hot Air’, Eureka Street by Dr Tim Stephens](#)

February 2011

- [‘Battle over Whaling’ by Dr Tim Stephens](#)

January 2011

- [‘A Whale of a Story’ on ABC’s The Drum TV by Dr Tim Stephens](#)

Full copy of the articles are available at: sydney.edu.au/law/accel



NEW ENVIRONMENTAL UNITS OF STUDY

sydney.edu.au/law/accel/programs.shtml

2011

ENVIRONMENTAL LITIGATION: This unit examines litigation as a tool for dealing with environmental disputes and problems. In this course students examine different types of environmental litigation and the issues that can arise in the litigation process. They develop an understanding of the particular characteristics of environmental litigation, the advantages and limitations of different types of proceedings, and the range of outcomes that are possible in environmental litigation.

COASTAL ADAPTATION LAW: This interdisciplinary unit brings together a global team of experts from the legal and scientific fields to assess the policy, technical and legal dimensions of building resilience in the coastal zone. A range of innovative adaptation strategies will be

considered as well as different legal frameworks which can be used to implement them. In considering these options, the unit draws on examples from the European Union, the United States and Australia. In so doing, it evaluates relevant legislation and case law in these jurisdictions and offers some suggestions for legal reform.

2010

US CLIMATE LAW: An expert on environmental law and policy, Michael Wara’s research focuses on climate policy and regulation, both domestically and internationally. Professor Wara’s current scholarship addresses the performance of the emerging global market for greenhouse gases and mechanisms for reducing emissions, especially in developing countries after the Kyoto Protocol expires in 2012.

GRADUATES

ACCEL is proud to congratulate two 2010 Environmental Law PhD graduates: Dr Kate Miles and Dr Rebecca Bates.

Senior Lecturer in International Law, Kate Miles, was awarded her PhD at the May 2011 University of Sydney graduation ceremonies. She is pictured here with her supervisors, Emeritus Professor Ben Boer and Dr Tim Stephens. Dr Miles’ topic was “International Investment Law, Empire and the Environment”. The thesis is a critical analysis of the way in which international investment law has developed over the past centuries.

She argues that the political context in which the rules emerged shaped the law in fundamental ways and that its origins still resonate within its modern principles, agreements, and dispute resolution systems. Her thesis urges a transformative approach to modern international investment law and includes a range of recommendations for reform.



2011 PUBLICATIONS

(JANUARY - JUNE 2011)

Celeste Black

Refereed Journal Articles

'Book Review: Animal Law in Australasia, P.Sankoff and S.White (eds)' *Asia Pacific Journal of Environmental Law* (forthcoming).

'Tax Accounting for Transactions under an Emissions Trading Scheme: An Australasian Perspective' (2011) 1 *Carbon & Climate Law Review* 91-99.

Ben Boer

Edited Books

Ben Boer et al (eds), *Environmental Law and Sustainability after Rio*, Elgar Publishing, UK (2011)

Chapters in Books

Ben Boer and Stefan Gruber, 'Heritage Discourses' in B Jessup & K Rubenstein (eds), *Environmental Discourses in Public and International Law*, Cambridge University Press (forthcoming).

Chester Brown

Edited Books

Chester Brown & Kate Miles (eds), *Evolution in Investment Treaty Law and Arbitration*, Cambridge University Press: UK (forthcoming).

Chapters in Research Books

'Bringing Sustainable Development Issues before Investment Treaty Tribunals', in Markus Gehring, Marie-Claire Cordonnier-Seger, and Andrew Newcombe (eds), *Sustainable Development in World Investment Law* (2011) 177-190.

Refereed Journal Articles

Chester Brown and S.Puig, 'The Power of ICSID Tribunals to Dismiss Proceedings Summarily: An Analysis of Rule 41(5) of the ICSID Arbitration Rules' (2011) 10 *Law and Practice of International Courts and Tribunals* (forthcoming).

Non-refereed Articles

Brown, C, 'Book Review of Anna Riddell and Brendan Plant, Evidence before the International Court of Justice' (2011) 10(1) *Law and Practice of International Courts and Tribunals* 205-210.

Simon Butt

Book Chapters

'Unfinished Business: Law Reform, Governance and the Courts in Post-Soeharto Indonesia' in M.Kunkler, & A.Stepan (eds), *Indonesia, Islam and Democratic Consolidation*, Columbia University Press: US (forthcoming).

'Foreign Investment in Indonesia: The Problem of Legal Uncertainty' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia*, Routledge: London (forthcoming).

'Judicial Mafia: The Courts and State Illegality in Indonesia' with Tim Lindsey, in E.Aspinal & G.van Klinken (eds), *The State and Illegality in Indonesia*, KITLV Press: The Netherlands (2011) 189-216.

Andrew Edgar

Refereed Journal Articles

'Decision-makers, Expert Witnesses and Advocates: the Roles of Planners in Merits Appeals' in *Urban Policy and Research* (forthcoming).

Rosemary Lyster

Refereed Journal Articles

'REDD+, transparency, participation and resource rights: the role of law' (2011) 14(2) *Environmental Science & Policy* 118-126.

Kate Miles

Edited Books

Chester Brown & Kate Miles (eds), *Evolution in Investment Treaty Law and Arbitration*, Cambridge University Press: UK (forthcoming).

Chapters in Research Books

'Sustainable Development, National Treatment and Like Circumstances in Investment Law' in Marie-Claire Cordonier Segger, Andrew Newcombe and Markus Gehring (eds), *Sustainable Development in International Investment Law* p.261 (Kluwer, 2011).

Tim Stephens

Edited Books

Jane McAdam, Ben Saul, James Slezak, Steven Sherwood and Tim Stephens, *Climate Change and Australia: Warming to the Global Challenge*, Federation Press: Sydney (forthcoming).

Chapters in Research Books

Ross Abbs, Peter Cashman and Tim Stephens, 'Climate Change Litigation in Australia' in Jutta Brunnée, Silke Goldberg, Richard Lord and Lavanya Rajamani (eds), *Climate Change Liability* (Cambridge University Press, Cambridge, forthcoming 2011).

Jacqueline Peel and Tim Stephens, 'Australia and International Environmental Law' in Donald R Rothwell (ed), *International Law in Australia* (Thomson Reuters, Sydney, forthcoming 2012).

'Australia's Continental Shelf' in Rachel Baird and Donald R Rothwell (eds), *Australian Coastal and Marine Law* (Federation Press, Annandale, forthcoming 2011).

'International Courts and Sustainable Development: Using Old Tools to Shape a New Discourse' in Brad Jessup and Kim Rubenstein (eds), *Environmental Discourses in International and Public Law* (Cambridge University Press, Cambridge, forthcoming 2011).

Case Notes in Refereed Journals

Emily Christie, Emma Hunt, Nithya Ramesh, Meredith Simons, Tim Stephens and Andrew Yeoum, 'Cases before Australian Courts Involving Questions of Public International Law 2008' (2011) 29 *Australian Year Book of International Law* (forthcoming).

2010 PUBLICATIONS

Celeste Black

Chapters in Research Books

“Climate Change and Tax Law: Tax Policy and Emissions Trading” in Rosemary Lyster (ed), *In the Wilds of Climate Law*, Australian Academic Press (2010).

Chester Brown

Chapters in Research Books

‘Bringing Sustainable Development Issues before Investment Treaty Tribunals’, in Markus Gehring, Marie-Claire Cordonnier-Seger and Andrew Newcombe (eds), *Sustainable Development in World Investment Law* (2010) 177-190.

‘Procedure in Investment Treaty Arbitration and the Relevance of Comparative Public Law’, in Stephan Schill (ed), *International Investment Law and Comparative Public Law* (2010) 659-688.

Refereed Journal Articles

‘International, Mixed and Private Disputes Arising under the Kyoto Protocol’, (2010) *Journal of International Dispute Settlement* 1 447-473.

Simon Butt

Chapters in Research Books

‘Who Owns the Economy? Property Rights, Privatization, and the Indonesian Constitution: The Electricity Law Case’ with Tim Lindsey, in A McHarg, B Barton, B Bradbrook & L Godden (eds), *Property and the Law in Energy and Natural Resources*, Oxford University Press: Oxford (2010) 236-254.

Refereed Journal Articles

‘Corruption, Law, Politics and Frame-Ups: The Plot to Dismantle Indonesia’s Anti-Corruption Commission’ with Parsons, J (2010) 11(2) *Harvard Asia Pacific Review* (forthcoming).

‘Indonesia’s Anti-Corruption Drive and the Constitutional Court’ *The Journal of Comparative Law* (forthcoming).

‘Regional Autonomy and Legal Disorder: The Proliferation of Local Laws in Indonesia’ (2010) 32(2) *Sydney Law Review* 177-197.

Andrew Edgar

Refereed Journal Articles

‘Participation and Responsiveness in Merits Review of Polycentric Decisions: a comparison of development assessment appeals’ (2010) *Environmental and Planning Law Journal* 27 EPLJ 36.

Rosemary Lyster

Edited Books

In the Wilds of Climate Law, Australian Academic Press (2010)

Chapters in Research books

‘Reducing Emissions from Deforestation and Degradation: The Road to Copenhagen’ in Rosemary Lyster (ed) *In the Wilds of Climate Law*, Australian Academic Press (2010).

Refereed Journal Articles

‘Smart Grids: Opportunities for Climate Change Migration and Adaptation’ (2010) *Monash University Law Review* 36(1) 173.

Kate Miles

Chapters in Research Books

‘Blue Oil: Water Resources, Social Justice, and the International Law on Foreign Investment’, in Natalie Klein et al (eds) *Globalisation and International Law: The Quest for Social and Environmental Justice*, Routledge (2010) 53.

‘Reconceptualising International Investment Law: Bringing the Public Interest into Private Business’ in Meredith Kolsky Lewis and Susy Frankel (eds), *International Economic Law and National Autonomy*, Cambridge University Press: UK (2010) 295-319

Refereed Journal Articles

‘Arbitrating Climate Change: Regulatory Regimes and Investor-State Disputes’ (2010) 1(1) *Climate Law* 63-92.

‘International Investment Law: Origins, Imperialism and Conceptualizing the Environment’ (2010) 21(1) *Colorado Journal of International Environmental Law and Policy* 1-47.

Susan Shearing

Chapters in Research Books

“Biodiversity” in D. Leary and B. Pisupati (eds), *Future of International Environmental Law and its Role in Development*, UNU Press (forthcoming 2010).

“Climate Governance and Corporations – Changing the way Business does Business?” in Rosemary Lyster (ed), *In the Wilds of Climate Law*, Australian Academic Press (2010).

Refereed Journal Articles

Susan Shearing and V. Tava, “Environmental Law-Australia and New Zealand” (2010) Vol 3/10 *Encyclopedia of Sustainability, The Law & Politics of Sustainability*, Berkshire.

“Australia’s National Heritage Law Framework under Review”, (2010) 13(1) *Asia Pacific Journal of Environmental Law* 1-15.

Tim Stephens

Authored Research books

Tim Stephens & Don. R. Rothwell, *The International Law of the Sea*, Hart Publishing (2010).

Chapters in Research Books

“International Courts and Climate Change ‘Progression’, ‘Regression’, and ‘Administration’” in Rosemary Lyster (ed) *In the Wilds of Climate Law*, Australian Academic Press (2010).

‘Sustainability Discourses in International Courts: What Place for Global Justice?’ in Duncan French (ed), *Global Justice and Sustainable Development*, Brill (2010) 39-56.

2010 PUBLICATIONS CONTINUED

Tim Stephens (continued)

Refereed Journal Articles

Fleur Johns, Ben Saul, Philip Hirsch, Tim Stephens and Ben Boer, 'Law and the Mekong River Basin: A Social-Legal Research Agenda on the Role of Hard and Soft Law' (2010) 11 *Regulating Transboundary Water Resources* in *Melbourne Journal of International Law* 154-174.

Alan D Hemmings and Tim Stephens, 'Extended Continental Shelves from Sub-Antarctic Islands: What Implications for Antarctic Governance?', (2010) 46 *Polar Record* 312-327.

Tim Stephens and Alan D Hemmings, "Reconciling Regional and Global Dispensations: The Implications of Subantarctic Extended Continental Shelf Penetration of the Antarctic Treaty Area" (2009) 8 [published in 2010] *New Zealand Year Book of International Law* 273-292.

Available at <http://ssrn.com/abstract=1437273>.

Case Notes

Chester Brown, Jacqueline Mowbray, Tim Stephens and Brett Williams, 'Australian Cases before International Courts and Tribunals Involving Questions of Public International Law 2007', (2009) 28 [published in 2010] *Australian Year Book of International Law* 255-282.

Lucas Bastin, Naomi Hart, Justin Hogan-Doran, Meredith Simons, Hannah Stewart-Weeks, Tim Stephens and Houda Younan, 'Australian Cases before Australian Courts and Tribunals Involving Questions of Public International Law 2007', (2009) 28 [published in 2010] *Australian Year Book of International Law* 221-253.

Publications by ACCEL Adjunct and Emeritus Professors

Gerry Bates

Authored Research Books

Environmental Law in Australia, 7th edition, LexisNexis (May 2010).

Refereed Journal Articles

Gerry Bates and Kate Meares, 'Options for funding environmental compliance programs in NSW' (2010) 16 *Local Government Law Journal* 32.

Ben Boer

Refereed Journal Articles

Fleur Johns, Ben Saul, Philip Hirsch, Tim Stephens, Ben Boer, 'Law and the Mekong River Basin: A Social-Legal Research Agenda on the Role of Hard and Soft Law in Regulating Transboundary Water Resources' (2010) 11 *Melbourne Journal of International Law* 154-174.

Ben Boer and Stefan Gruber, 'Legal Framework for Protected Areas: Australia', *IUCN Environmental Law Centre* (published on disk).

Ben Boer and Stefan Gruber, 'Legal Framework for Protected Areas: New South Wales', *IUCN Environmental Law Centre* (published on disk).

Zada Lipman

Refereed Journal Articles

'An evaluation of Compliance and Enforcement Mechanisms in the Environmental Protection and Biodiversity Conservation Act 1999 (Cth) and their Application by the Commonwealth', (2010) *Environmental and Planning Law Journal* 98-112.

Loose Leaf Services

The Laws of Australia - 14.6 'Environmental Harm: Pollution Control and Hazardous Substances', Updating author [14.6.199] - [14.6.394], Thomson Reuters, update 253 - September 2010.

Brian Preston

Chapters in Research books

"Reflection on Water Use and Justice", in J McKay, G Karemane and A Gray, *Picturing Freshwater Justice in Rural Australia*, Cooperative Research Centre for Irrigation Futures, Adelaide, 2010, 84.

"Climate Change Litigation" in Rosemary Lyster (ed) *In the Wilds of Climate Law*, Australian Academic Press, Sydney (2010), 208.

"The role of courts in relation to adaptation to climate change", in T Bonyhady, A Macintosh and J McDonald (eds), *Adaptation to Climate Change: Law and Policy*, Federation Press, Sydney (2010) 157.

"Foreword" in D E Fisher, *Australian Environmental Law: Norms, Principles and Rules*, Second Edition, Thomson Reuters, Sydney (2010).

Refereed Journal Articles

"A Judge's Perspective on Using Sentencing Databases", *The Judicial Review* (2010) 9(4) 421; also published in (2010) 3(1) *Journal of Court Innovation* 247.

"An Institute for enhancing effective environmental adjudication", S Abed de Zavala, A H Benjamin, H G Davide Jr, A Dunn, P Hassan, D W Kaniaru, R Macrory, B J Preston, N A Robinson and M Wright, (2010) 3(1) *Journal of Court Innovation* 1.

"Leadership by the courts in achieving sustainability" *Environmental and Planning Law Journal* (2010) 27(5), 321; also published in (2010) 17 *Resource Management Theory & Practice*.

"Climate change in the courts" (2010) 36(1) *Monash University Law Review* 15.

APJEL

Asia Pacific Journal of Environmental Law

December 2010 - Volume 13
Issue 1 of the Asia-Pacific Journal of Environmental Law (APJEL) was published and distributed to subscribers. This issue includes articles on Australia's National Heritage Law Framework; The Corporatisation of International Response to Climate Change; International Involvement in the Preservation of the Brazilian Amazon Rainforest; Emission Reduction and Policies and the WTO; Climate Change Mitigation Down Under; Environmental Impact Assessment in Hong Kong; Notes and comments on the New Provincial Environmental Legislation in New Caledonia; and a book review on 'The Principle of Sustainability'.

The Editors of the Asia Pacific Journal of Environmental Law (APJEL) are currently seeking submissions for forthcoming issues. The Journal accepts article submissions of between 8,000 to 10,000 words (including footnotes). Longer or shorter articles may be published subject to the discretion of the Editors. Notes and commentaries including country reports may be up to 4,000 words. APJEL follows the Australian Guide to Legal Citation. All submissions are subject to external peer review.

Full text of The Asia Pacific Journal of Environmental Law is also available via the 'Informit Collections' and AustLI.

See: sydney.edu.au/law/accel/apjel



NEW BOOKS

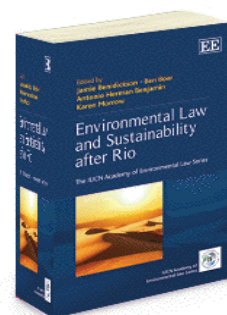
Environmental Law and Sustainability after Rio

Edited by **Jamie Benidickson**, University of Ottawa, Canada, **Ben Boer**, University of Sydney, Australia, **Antonio Herman Benjamin**, High Court of Brazil (STJ) and Catholic University of Brasilia and **Karen Morrow**, University of Swansea, Wales, UK.

This book examines the development of environmental law in the period since the ground-breaking 1992 United Nations Conference on Environment and Development or 'Earth Summit' in Rio de Janeiro. The book demonstrates that a great deal has been achieved in the field of environmental law

since the 1990s. However, the extraordinary environmental crises facing humanity in the 21st century indicate a continuing urgent need for the generation of robust policies and frameworks concerning ecological, socio-cultural and economic sustainability, implemented through appropriately innovative legal mechanisms. The book is divided into five sub-themes of sustainability: history, principles and concepts, environmental rights, access to justice and liability issues, natural resources, energy and climate change, and nature conservation.

This new title in the new IUCN Academy of Environmental Law series is published by Edward Elgar Publishing. For further information see: www.sydney.edu.au/law/accel or go to www.e-elgar.com



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