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Pace Law School launches institute to strengthen fast-growing environmental courts and tribunals, now numbering 380 worldwide

Comprehensive view of the movement's successes and challenges to emerge from April 1 Symposium bringing together international environmental judges and academics

WHITE PLAINS, NY, March 24, 2011—Despite the enactment of environmental statutes and negotiation of treaties since the 1970s, the global environment has degraded since that time rather than improved. But a recent grass roots movement is giving hope to environmentalists: More than 50 nations have created specialized environmental courts and tribunals to give priority attention to enforcing these laws.

While the strength of these courts may be largely untested, Pace Law School—ranked third in environmental law and sponsor of numerous judicial training workshops, symposia and conferences—believes fervently in their prospects. So much so that it is nurturing this “grassroots movement” by convening a landmark meeting of key international judges and scholars on **Friday, April 1** to discuss their successes and challenges.

There are 380 such courts in operation today—nearly half of them created in the past five years alone. In the US, there is presently only one environmental court, in Vermont.

- **In China**, where extraordinarily rapid economic growth has produced extreme air and water pollution, the government has authorized its citizens to bring lawsuits against polluting industries (many of them government enterprises) and 14 provinces have set up new environmental courts.
- **In India**, the legislature has set up a nationwide system of “Green Tribunals” to hear citizen complaints on an expedited basis and see how best to apply the Supreme Court’s environmental law decisions, the most advanced set developed in any nation
- **In Kenya**, plagued by dishonest practices in government and the courts, the Environment Court over the past two years has established a new standard for honest and open adjudication.

“These specialized courts are crucial to enforcing environmental laws that seek to curb greenhouse gas emissions, cope with sea level rise, abate pollution, safeguard biodiversity and protect threatened areas,” said **Professor Nicholas Robinson**, Pace’s University Professor on the Environment, founder of the Pace Law School’s environmental law programs, and a key player over the past 15 years in the movement to strengthen environmental courts worldwide. “In contrast to traditional courts, judges and administrators at these environmental courts become well-versed in environmental science and develop a sound

understanding of environmental law. This enables the courts to make decisions more promptly, foster consistent rulings across time and show professionalism and independence.”

A briefing paper by Robinson outlining the history of environmental courts, ideas for educational modules, and a vision of a worldwide support system for such courts, is available online [here](#).

Hosted in conjunction with the New York State Judicial Institute, the **International Symposium on Environmental Courts & Tribunals** will take place from 9 a.m. 5:30 p.m. April 1 at the Judicial Institute on the Pace Law School campus, 78 North Broadway, White Plains, NY. *Media are welcome, with advance notice to Lauren Rubenstein.*

Attendees at the symposium include **Justice Antonio H. Benjamin of the High Court of Brazil; Justice Brian Preston, Chief Judge of the Land & Environment Court of New South Wales, Australia; Judge Donald Kaniaru of the Environment Court of Kenya; Judge Meredith Wright of the Vermont Environmental Court; and Scott Fulton, General Counsel of the US EPA.**

One of the attendees, **Justice Antonio H. Benjamin of Brazil**, said, “There is remarkable similarity among courts across most nations regarding environmental protection. The health of people and welfare of nature are essential for sustainable development, as the United Nations has often stated. Courts are only now delineating the environmental dimensions to justice. Aspirations for good governance and eco-sustainability depend on how courts enforce environmental legislation and treaties. It is nothing short of remarkable that so many nations recently have decided to establish environmental courts to do so.”

The symposium will discuss the **International Union for the Conservation of Nature and Natural Resource’s** proposal to establish an **International Judicial Institute for Environmental Adjudication**, to be presented to the United Nations Summit planned for June 2012 in Rio de Janeiro, “Rio+20.”

The Institute—a collaboration between Pace Law School, the IUCN’s Commission on Environmental Law and the Washington, DC-based Environmental Law Institute—would develop a cohesive international community of environmental judges, scholars and court administrators to promote the highest standards of environmental justice, protection and conservation.

“The rapid emergence of these environmental courts necessitates an autonomous judicial institute to facilitate the exchange of experience, build capacity for best judicial practices and lend collective support for realizing the rule of law in environmental case adjudication,” said Professor Robinson.

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Founded in 1976, Pace University School of Law has over 7,000 alumni throughout the country and the world and is consistently ranked among the nation's top four programs in environmental law. It offers full- and part-time JD programs on its White Plains, NY, campus and offers the Master of Laws degree in Environmental Law and Comparative Legal Studies, and a Doctor of Laws in environmental law. The School of Law is part of Pace University, a comprehensive, independent, and diversified university with campuses in New York City and Westchester County. www.law.pace.edu

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