



From the Directors

The past year was incredibly eventful for the China Partnership, and 2012–13 is already shaping up to be just as exciting. Between the new student exchange agreement with Renmin University, creating student internships, presenting at multiple Chinese conferences, hosting 13 visiting Chinese scholars, and working on Chinese legal reform proposals, the partnership team has been active in all aspects of our mission of working to strengthen environmental governance and rule of law in China through advocacy, capacity building, and policy development.

We are set to continue the pace this year, adding a new program of activities in southwest China and increasing our team's presence in Asia. With the upcoming leadership transition in China, this will be an interesting time for monitoring contemporary Chinese efforts to manage its ongoing environmental challenges and rule of law improvements.

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Chinese Judges Study Environmental Adjudication

In recent years, many specialized courts have been established in China to create a judicial venue for addressing severe environmental problems. While an exciting step, the judges in these courts lack sufficient knowledge of environmental law and the tools to render effective remedies.

In response to this need, the partnership organized a four-week study tour program this past summer for 12 senior judges from across China and three instructors from China's National Judges College (NJC). In the first two weeks, the judges attended full-day classes taught by judges and professors in Vermont, and met with the Vermont Supreme Court, Attorney General's office, and Department of Environmental Conservation. They then travelled to the New York State Judicial Institute to meet U.S. judges. In Washington, D.C., they spent a day with attorneys and judges from the USEPA Environmental Appeals Board and the Department of Justice discussing the way the federal agencies and NGOs can enforce environmental laws in the courts. They also met with the USEPA in San Francisco to discuss specific environmental cases brought by the regional office.

The participants learned tools and techniques American judges employ for resolving differences in expert witness evidence and how they tailor court orders, including both deterrent and remedial measures, to address specific environmental violations and harm.

Throughout the program, participants discussed developing innovative ways to apply their learning in the Chinese context. One of the NJC instructors stayed in the U.S. for two months to develop a curriculum on environmental adjudication that would be used for other judicial training programs in China.



The Chinese Judges attending class at Vermont Law School

Linking Public Health and Environment in China

On September 8–9, 2012, the partnership, China's Sun Yat-sen University, and Sweden's Uppsala University cohosted a workshop in Guangzhou, China, on the intersection of environmental and public health law. Thirty leading scholars from the three countries shared their research on environmental quality and public health standards, risk prevention and response, and information disclosure and public participation. The workshop served as a platform for researchers to gain insights into how other legal systems approach these challenges and explore future collaboration.

“Despite the great differences between the economic, social, and legal situations in our countries, we managed to find a common understanding for the most important challenges in this field.”

—Jan Darpö, Professor of Environmental Law at Uppsala University

“The workshop opened the door to learning Chinese environmental law and also the difficulties that arise when applying the law in practice. My vision is that law faculty in Uppsala would supplement the U.S.-China Partnership at Vermont Law School by adding a European environmental law perspective.”

—Gabriel Michanek, Professor of Environmental Law at Uppsala University

Vermont Law Students Engage with China



Heather Croshaw at WWF Hong Kong

Opportunities for Vermont Law School students to work with Chinese and U.S. organizations focused on environmental governance in China are growing rapidly. Over the past year, the partnership has helped an unprecedented number of students undertake internships, Semesters in Practice, and exchanges.

Heather Croshaw JD 2013 spent the 2012 summer as an intern with WWF Hong Kong's climate change program. Heather worked on issues involving energy regulation, carbon footprint awareness, and climate legislation. Her time in Hong Kong had her reflect on the difficulties of pursuing short-term environmental goals, such as improved air quality, while also addressing the long-term challenge of climate change. Comparing the situations in Hong Kong and the

U.S., she noted the frustrating similarities in policy debates limited to "claims that protecting the environment kills jobs and hurts growth."

Abigail Barnes JD 2014 also undertook a summer internship with the China Environment Forum (CEF) at the Woodrow Wilson International Center for Scholars in Washington, D.C. Abigail helped CEF research and publish material highlighting environmental trends in China and produced a research paper on the novel use of kites to monitor air quality. Describing her time in D.C., Abigail said, "I have had the good fortune of meeting many impressive and dedicated individuals, from all walks of life and professions, interested in environmental issues in China."

After spending 2011–12 at Vermont Law School, Brazilian student Carla Santos LLM 2012 spent three months as a legal intern with Greenpeace East Asia in Beijing. Carla has a strong desire to practice in environmental law and assisted Greenpeace's campaign work through legal research, strategizing, and supporting the organization's legal team.

Erica Lewis JD 2012 spent fall 2011 in Beijing on a Semester in Practice with the Beijing Arbitration Commission. Erica's experience confirmed her view that "understanding dispute resolution systems of other nations, and China in particular, is going to be integral to the development of collaborative efforts to address global environmental problems."

Allison Cameron JD 2013 spent the 2012 spring semester as Vermont Law School's inaugural exchange student at Renmin University in Beijing. Allison completed a full course load of classes taught in English. She is the first of many students anticipated to take up this unique opportunity.

In 2012–13, the partnership will continue to support a range of student activities including regular discussion forums, presentations, and the joint research projects. These opportunities are designed to be enriching for the participating students and the Vermont Law School community alike.

New Advocacy Work in Yunnan, China

Vermont Law School has received a \$1.5 million grant from the U.S. State Department to support a three-year project designed to improve environmental and public health in China.

The partnership is working with Southwest Forestry University in Kunming, Yunnan Province, to create a "legal ecosystem" that includes an environmental and biodiversity law clinic to serve environmental NGOs, communities, and underrepresented citizens. As the first environmental law advocacy center in Yunnan Province, the clinic will also host workshops to educate environmental leaders, lawyers, and citizens on legal avenues to address environmental and public health issues and engage in legislative reforms.

The project aims to help build bridges between legal advocates, citizen groups, NGOs, and the government within Yunnan and to create a model for advancing environmental governance for the entire region.

On September 17–19, 2012, the partnership's program team traveled to Kunming to help set up the clinic's infrastructure and to develop strategies with environmental NGOs for bringing public interest litigation to protect the environmental rights of local communities. The clinic will officially launch in November 2012, when it will open a hotline and be ready to take cases.

THE CHINA PARTNERSHIP TEAM



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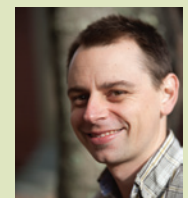
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