

Greening China

News from Vermont Law School's Partnership for Environmental Law in China

W I N T E R 2 0 0 9

ADVANCING THE RULE OF LAW TO PROTECT CHINA'S ENVIRONMENT



From the Director

One of the most important priorities—and exciting aspects—of Vermont Law School's Partnership for Environmental Law in China has been to create opportunities for American and Chinese environmental law professors and law students to interact and learn from one another.

During the last two summers, law students from China have studied environmental and energy law at VLS. This past fall, a Chinese law professor led a group of VLS students on a tour of the Three Gorges Dam. This year, four law professors from China are studying and doing research at VLS, two of them in our LLM program. Meanwhile, six VLS professors traveled to China during the fall semester to deliver lectures and workshops at a number of law schools and environmental organizations.

One example of the ongoing success of our program is Xu Wei. When she was a law student at SYSU in 2004, Wei was one of the first Chinese students to participate in a collaborative research exchange with a VLS student. Now an assistant professor of law at the South China Agricultural University Law School, Wei is one of the scholars studying at VLS this year.

—Tseming Yang

Professor of Law and Director
Partnership for Environmental
Law in China

Workshops in China, Bali, and Bangkok

Jingjing Liu, associate director of the VLS Partnership for Environmental Law in China, and Marc Mihaly, associate dean of VLS's environmental law program, traveled to China in November to give lectures on alternative dispute resolution and the Clean Air Act at the annual environmental law training workshop of the Center for Legal Assistance to Pollution Victims (CLAPV), the leading nongovernmental environmental litigation organization in China. Approximately 85 judges, lawyers, and government officials participated. Liu and Mihaly also participated in a workshop on air pollution sponsored by the Energy Foundation, the Environmental Defense Fund,

and the Ministry of Environmental Protection.

Later that same month, Tseming Yang traveled to Bali, Indonesia, to participate in the Asian Environmental Compliance and Enforcement Network's annual regional forum. He moderated a panel on "Decentralizing Environmental Enforcement and Compliance in Asia." Together with Sun Yat-sen University (SYSU) Professor Zhiping Li, Yang also gave a presentation on "Environmental Governance Challenges in China and the Experiences and Lessons of the VLS/SYSU Partnership" at the October Quarterly Partners Meeting of the USAID Bangkok Office's Regional Environment Office.

Faculty and Students Travel to Guangzhou



VLS faculty and SYSU faculty and students at Sun Yat-sen University

Members of the Vermont Law School faculty traveled to Guangzhou in December for a series of lectures and workshops at SYSU. Tseming Yang gave a series of environmental law lectures to law students; Carl Yirka, director of the Julien and Virginia Cornell Library at VLS, gave an environmental law research presentation; Michael Dworkin, director of VLS's Institute for Energy and the Environment, gave a presentation about energy issues to students and faculty at South China Normal University Law School and at South China Science and Technology University Law School; David Mears, director of the Environmental and Natural Resources Law Clinic (ENRLC) at VLS, gave a presentation on clinical legal education and the work of the ENRLC to SYSU's clinical law students.

The group also traveled to Beijing to participate in the inaugural conference of the China Society for Environmental Science (CSES) Environmental Law

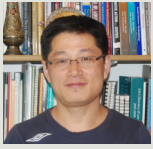
Branch, which was cosponsored by VLS. The CSES Environmental Law Branch, affiliated with China's Ministry of Environmental Protection, is designed to provide support and create networking opportunities for younger environmental law scholars. Yang provided opening remarks and Yirka gave a presentation on environmental law research.

Five Vermont Law School students—Carolyn Alderman, Shannon Cosentino-Roush, Anna Skubikowski, Ashley Laney, and Thomas Baker—have been working with partners at SYSU on joint research projects focusing on environmental law issues. In December, the students traveled to Guangzhou to meet with their project partners and give presentations about their projects at SYSU. After their presentations, the VLS students spent a few days sightseeing in Beijing and Hong Kong.



CSES Inaugural Conference

Visiting Scholars

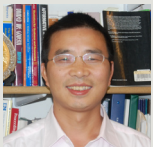


Jiaru Hou is an assistant professor of law at China University of Political Science and Law (CUPL). He teaches environmental law at CUPL and is one of the supervising faculty members of the school's environmental law clinic. He is also a chief volunteer at the Center for Legal Assistance to Pollution Victims. Hou received his bachelor's degree in engineering from the School of Economics and Management of Jilin University, and his LL.M. and Ph.D. in law from Renmin University.



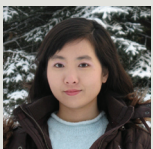
Jingyun Li is an associate professor of law and assistant to the dean at Jiangxi Normal University Law School in Nanchang. She is working on her Ph.D.

in environmental law at Wuhan University Law School. Li has been an official in the Jiangxi Provincial Environmental Protection Bureau and served on the staff of the Jiangxi Province Peoples Congress Environmental Protection Committee. Her program participation is partially funded by a grant from the Ministry of Environmental Protection.



Qingjun Wang is an associate professor of law at the Central China Normal University in Wuhan. His research interests include Chinese

environmental law and policy, particularly water resources and ecological protection. Wang is currently a Ph.D. candidate in environmental law with the Research Institute of Environmental Law at Wuhan University. He received his LL.B. degree from Hubei Normal College and his LL.M. in environmental law from Wuhan University. His academic residency at VLS is funded in part by a grant from the China Scholarship Council.

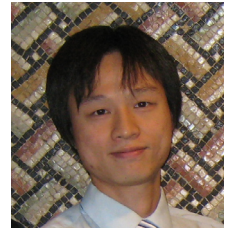


Xu Wei is an assistant professor of law at the South China Agricultural University Law School. Her research interests include Chinese and comparative

environmental law and policy. Wei was one of the first SYSU students involved in a joint research project with VLS students. She received her LL.B. degree in international economic law from Guangdong University of Foreign Studies and an LL.M. in environmental law from SYSU.

Article by Scholar Mark Qiu Published in *ELR*

Xin (Mark) Qiu arguably has had one of the program's greatest successes this year. In September, his article, "China's Environmental Super Ministry Reform: Background, Challenges, and Future" (coauthored with Honglin Li), was accepted for publication by the *Environmental Law Reporter (ELR)*. *ELR* is a publication of the Washington, D.C.-based Environmental Law Institute and is widely circulated and read among environmental law practitioners and scholars. The article provides an overview of the consequences of the March 2008 super ministry reform on environmental regulation while providing significant insights into China's environmental regulatory structure. The article appeared in the February 2009 issue of *ELR*.



Mark Qiu



Professors Dejin Gu and Tseming Yang with VLS students at the Three Gorges Dam

Visit to the Three Gorges Dam

Tseming Yang and eight VLS students, along with Professor Dejin Gu and law student Peipei Wang of SYSU, visited the Three Gorges Dam Project. The last turbines of the dam project are scheduled to become operational in 2009. The dam is an impressive site. The project is tightly guarded and requires visitors to pass through several security checkpoints manned by soldiers. The dam's ship locks are already fully operational, though the

ship elevator is not. The VLS visit took place during the wet season for the Yangze river basin, so the river was very turbid and sediment-laden. The students noticed a significant amount of household trash in the stream. They will be preparing short documentary films about the dam for an environmental film festival that VLS anticipates holding later this year with Chinese students and scholars.

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