

Training and Practice

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The first International Symposium on Legislation and Environmental Law, organized by the Latin-American Environmental Law Programme of the Ilustre Colegio de Abogados de Madrid (ICAM) and co-ordinated and directed by Dr. Silvia Jaquenod de Zgögon (IUCN-CEL and ICEL member) took place in Madrid, Spain last October. The theme of the Symposium was the legal environmental law training and professional practice.

The symposium brought together experts from Angola, Germany, Portugal, Argentina, Bolivia, Brazil, Colombia, Cuba, Ecuador, Spain, Guatemala, Mexico, Panamá, Perú, Puerto Rico and Venezuela. The meeting included different activities: workshops, debates, oral presentations, cases, and participants' suggestions.

The Workshops provided an important contribution regarding the training of lawyers in environmental themes. The results have been beneficial and especially fruitful due to the exchange of knowledge and experience, presentation of practical cases and a comprehensive approach to each of the different themes.

The debates held after the interventions were crucial to the success of the symposium. These debates focused on specific problems, and generated a forum which facilitated the search for suitable alternatives within the context of each social and cultural reality.

The participants gave speeches in which they de-

scribed conflicting legal environmental realities. This provided for a lively exchange of knowledge and experiences.

Among the outstanding *conclusions* were:

- Effective conservation and improvement in the quality of natural resources are a responsibility, by constitutional mandate, of all public administrations, to the extent established under state basic legislation and local regulations. Lack of action in this regard is inexcusable.
- It is the responsibility of the Member States to implement the European Community Environmental Law. They should take an active role, and not just wait to take the appropriate measures when infringement procedures have been initiated.
- The field of environmental law is still evolving; however, some environmental issues have already been included in administrative law as well as in criminal, civil and fiscal law (interdisciplinary).
- Environmental law is not dealt with adequately in legal training. Some would even claim there is "legal illiteracy" in this field. Civil servants also demonstrate a lack of knowledge in this field. There is a lack of willingness as well as a shortage of professionals and technical experts for the implementation of specific environmental regulations. Efforts are being made to overcome this situation.
- Other problems include the lack of relevant legisla-

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- tion and, where laws do exist, a lack of implementation at the local level. Officials in the judiciary often lack environmental law training.
- Environmental crime is first treated as an administrative infringement. In practice, it is decided on a case-by-case basis whether the crime must be prosecuted as a criminal case.
 - Cooperation between law professionals and technical experts is crucial for the development of environmental laws, projects and programmes.
 - There are elements of environmental protection in urban law.
 - There is a need for ecology courses at all levels of education. As far as legal training is concerned, there is a need for specialized courses on environmental law. Special consideration needs to be given to environmental law in other fields of the law.

- Legal advice in environmental matters is based on legal and technical knowledge. For this reason, the legal adviser must have both legal and environmental training.

The Second Symposium is scheduled to be held from 24–26 October 2001 in Madrid.¹ The main theme will be the conservation of biological diversity, cases and jurisprudence. The Second Symposium will be organized in a similar way to the First Symposium. No more than 100 participants will take part.



Note:

¹ Any person interested in obtaining further information can contact the Lecture Hall of the Environmental Law or the Iberoamerican Program of Environmental Law: Dra. Sylvia Jaquenod de Zsögön, Serrano No. 11, 4th floor, 28008 Madrid, Spain. Tel: 00 34 91 435 7810 Ext. 814/816; e-mail: Zsogon@iies.es, Zsogon@terra.es.