



# MELAW

..... MARINE & ENVIRONMENTAL LAW INSTITUTE

..... { 2010 - 2011 Annual Report



# MARINE&ENVIRONMENTAL LAW INSTITUTE

The Marine & Environmental Law Institute (MELAW), based at the Schulich School of Law (formerly Dalhousie Law School), draws on a history of over 35 years of research excellence, education, consultancy and training expertise in marine and environmental law and policy matters. The Institute was established by the Board of Governors of Dalhousie University in Spring 2004 as a centre of excellence with a focus on Canadian and international oceans and environmental governance, law and policy.

The Institute carries out scholarly research projects as well as providing independent advisory services to agencies of the United Nations, international non-governmental organizations and regional organizations. It also provides policy advice to governments, industry and non-governmental organizations in Canada and overseas.

Objectives of the Institute include:

- Undertaking leading edge research
- Providing teaching and supervision for undergraduate and graduate courses in marine and environmental law
- Undertaking contract research and providing policy advice to public and private bodies
- Designing and implementing capacity-building activities for ocean and environmental governance in other parts of the world

In carrying out the objectives, the Institute actively seeks to cooperate with other units at Dalhousie and other partners and to further advance the University's mission of excellence in ocean studies.



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## Overview

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# 1 DIRECTOR'S REPORT

## INTRODUCTION

The 2010-2011 was a milestone year for Dalhousie University, the Schulich School of Law and the Marine & Environmental Law Institute (MELAW). The academic year saw the launching of the Halifax Marine Research Institute (HMRI), a consortium of universities, federal and provincial governments and ocean industry which pulls together an impressive ensemble of world class ocean research expertise in the natural and social sciences, based at Dalhousie University and led by Scientific Director Douglas Wallace. As an institute with widely-recognized expertise in ocean law and governance, MELAW was involved in consultative processes leading to the establishment of HMRI and is now poised to participate through Dalhousie in future HMRI activities.

The School of Law warmly welcomed a new Dean of Law, Professor Kim Brooks, who came to Dalhousie from McGill University. Professor Brooks succeeded Professor Phillip Saunders, who is also MELAW faculty. Professor Brooks has been an ardent supporter of MELAW and in her first deanship year has already assisted the Institute in multiple ways. Also notable was the commencement of the Schulich Academic Excellence Fund, one of the several benefits produced by the generous gift of philanthropist Seymour Schulich to the School of Law, which now bears his name. The Fund has proven to be a catalyst for the enhancement of scholarly activity at the School, including MELAW.

At MELAW the reporting year was also one where the director's baton was passed on by Professor David VanderZwaag to Professor Aldo Chircop. Since its formal establishment as an institute in 2004, MELAW faculty have taken on the triennial directorship in turn. The first director was Professor Moira McConnell (2004-2007). Professor Meinhard Doelle continued as MELAW Associate Director and Director of the Marine & Environmental Law Programme (MELP), the educational arm of MELAW established in 1974.

There were personnel movements among full-time faculty during the reporting year. Sadly, the Institute, as well as the Schulich School of Law, saw the departure of Professor Dawn Russell to St. Thomas University, where she is now president. Professor Russell was a champion of the Institute, both as former Law Dean and faculty. It was during her deanship that MELAW was launched and the Chair in Ocean Governance created. Another major pillar of the Institute, Professor Hugh Kindred, retired from active teaching, but continues to maintain the MELAW association. Professor Kindred is the last of the major pillars of the Marine & Environmental Law Programme whose service commenced with the establishment of MELP in 1974 to go on retirement. Professor Phillip Saunders was on administrative leave after completing his term as Dean of Law.

The Institute suffered major loss with the passing away of Robert Walter Carmichael in April 2011 (see In Memoriam at p.13). A highly respected and valued colleague, Robert taught oil and gas law in MELP on a part-time basis. Robert will be missed by his colleagues.

## STRATEGIC DIRECTIONS

At the inception of his term, Professor Chircop led the Institute through an exercise to develop and adopt strategic directions for 2010-2013 as a road map

for the triennial. MELAW's strategic directions are conceived as a rolling plan, whose activities and next steps are reviewed every year.

## SNAPSHOT OF MELAW STRATEGIC DIRECTIONS 2010-2013

Overarching goal	To enhance MELAW's profile, standing and recognition in Dalhousie and at the regional, national and international levels as a leading global centre of excellence for research, education, training and capacity-building in domestic, international and comparative marine and environmental law and governance.			
Thematic focus	<ul style="list-style-type: none"> <li>• Regime-building &amp; maintenance</li> <li>• Special regions (e.g., Atlantic region, Arctic, Caribbean, Southeast Asia)</li> <li>• Ocean law, policy &amp; management in Canada</li> <li>• Environmental law, policy &amp; management in Canada</li> </ul>			
Lines of activity	<b>Knowledge</b> <ul style="list-style-type: none"> <li>• Research</li> <li>• Publications</li> <li>• Education &amp; training</li> <li>• Capacity-building</li> <li>• Consulting to governments, international organizations &amp; private sector</li> </ul>		<b>Outreach</b> <ul style="list-style-type: none"> <li>• Advocacy</li> <li>• Responding to community requests</li> <li>• Hosting visiting scholars</li> <li>• Public lectures</li> <li>• Public information</li> </ul>	
Institutional networking & partnering	Sister university research centres in Canada & overseas	Canadian and overseas government agencies with oceans and environmental mandates	Intergovernmental and international non-governmental organizations working in oceans and environment	Industry/private sector in Canada and overseas; domestic non-governmental organizations; aboriginal peoples' organizations
Funding	Projects & fund-raising for activities			
Governance	Director	Management Committee		Annual faculty & associates meetings



While standing the course on its achievements as in past years, MELAW will expand its efforts to highlight its profile of a leading global centre of excellence for knowledge, capacity-building and outreach in the fields of oceans and environment. Its scholarly efforts will be directed primarily at four major themes encompassing: regime-building and maintenance; special regions (e.g., Atlantic region, Arctic, Caribbean, Southeast Asia); ocean law, policy and management in Canada; and environmental law, policy and management in Canada. These themes will be addressed through two broad lines of activity, the first consisting of knowledge-building and dissemination and the second concerning outreach. Knowledge activities consist of traditional Institute pursuits such as research (both internally and externally funded), publications (including the *Ocean Yearbook* and the regular stream of edited works and contributions to the periodical literature), education (such as MELP and graduate students), capacity-building (consisting of assistance to governments

on request) and consulting (for a range of clients that include government agencies, international organizations, private sector, among others). The principal activities will continue to be in relation to research and education.

To enable the MELAW better deliver on this mission, the strategy includes a systematic approach to networking with various categories of potential partners, including sister research centres in Canada and overseas, Canadian and overseas government agencies with oceans and environmental mandates, intergovernmental and international non-governmental organizations working in oceans and environment, industry/private sector in Canada and overseas, domestic non-governmental organizations, and aboriginal peoples' organizations. The governance structure has also been revitalised to support these strategic directions and includes a management committee to work closely with the director in support of new initiatives and to account for the use of Institute resources.

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## 2010-2011 ACTIVITIES

### *New Projects & Initiatives*

In late 2010, and led by Professors Chircop and David VanderZwaag, the Institute struck a partnership with the Geography Program of the University of Alaska Fairbanks (UAF) to convene the first ever international workshop focusing on the central Arctic Ocean. "The Arctic Ocean Beyond National Jurisdiction: Exploring the Opportunities and Challenges of Expanded Human Use and Future Governance" workshop was at the University of Alaska Fairbanks on 25-27 July and was attended by over fifty of the world's top Arctic governance experts. The workshop explored the opportunities and challenges in the Central Arctic Ocean beyond national jurisdiction, i.e., those areas of the Arctic high seas and seabed outside coastal state control. New human uses (especially

shipping, fisheries and mineral resources), security matters and governance issues, both current and future, were considered. The workshop was preceded by extensive planning and fund-raising between January-June. UAF and MELAW jointly raised the funding needed from the Pew Charitable Trusts, Natural Resources Defence Council, Total Foundation of France, and the Canadian Consulate in Anchorage. Work on the final report is led by Professor Lawson Brigham, UAF, and continues in the 2011-2012 academic year. Workshop results will be widely distributed to a host of stakeholders in the Arctic and global communities and in cooperation with the funders. Key papers will be published in the marine law and policy literature.

In 2011 MELAW and ECELAW partnered with the Marine Affairs Program to provide research support for the implementation of Nova Scotia's Coastal Strategy over the 2011-2012 period. Led by Professor Chircop, MELAW, and Deborah Carver, ECELAW, with the excellent research assistance of Jamie-Lynn Kraft, the legal input consisted of focused research on relevant provincial legislation that provides a framework and tools for coastal management and identification of potential gaps. At a later stage the support will include input on issues concerning coastal public access and appropriate legislative strategies. MELAW secured undergraduate law student research support to enable ECELAW to undertake foundational statutory research. LLM student Diane Rowe is writing her thesis with SSHRCC grant support through Professor Chircop on the issue of coastal public access. Key topics of focus include governance, coastal development, public access to the coast and the conservation of fragile coastal areas. Work on this project continues in the 2011-2012 academic year with the completion of two background papers for the Province.

Since 2005 MELAW and Seaforth Engineering Group Inc. have cooperated on various occasions concerning Article 76 submissions of the Federal Republic of Nigeria and the Islamic Republic of Pakistan. Various delegations from the two countries visited MELAW on a number of occasions and MELAW associates provided legal research support for the submissions of the two countries to the Commission on the Limits of the Continental Shelf. With this congenial relationship as backdrop, in January 2011 Dalhousie (on behalf of MELAW) and Seaforth signed a memorandum of understanding with "the objective ... to expand their potential to realise their respective Law of the Sea technical services and international capacity building." The MOU will enable MELAW to become more actively engaged in law of the sea consulting. The two parties have already cooperated on the preparation of proposals to

develop and manage the resource potential of an extended continental shelf, development of an evaluation framework for Article 76 submissions and more recently on designing a suite of training courses in cooperation with the International Ocean Institute.

Since the mid-1990s, MELAW faculty, in cooperation with other Canadian scholars, have cooperated with Australian counterparts in the Australian-Canadian Ocean Research (ACORN). The purpose of the network is to periodically bring scholars from the two countries to undertake joint and/or collaborative research and writing on ocean law, policy and governance issues of current interest in the two countries. ACORN is now undertaking another book project and MELAW participation is led by Professor VanderZwaag, who co-leads with Professor Tim Stephens of the University of Sydney. Professors Doelle, McConnell and Saunders will also be participating. A Polar Oceans Governance Workshop will be convened in Sydney in the fall of 2011.

In the summer of 2010 MELAW and the Centre for Ocean Law and Policy (COLP) at the University of Virginia commenced discussions concerning the joint convening of a major law of the sea conference in Halifax, timed with the thirtieth anniversary of adoption and opening for signature of the UN Convention on the Law of the Sea. It was agreed that the 2012 conference would be hosted in Halifax and for this purpose in early January 2011 a steering committee, chaired by Brian Flemming QC, Honorary Fellow at MELAW, was established to work with COLP counterparts in the planning, fund-raising and convening of the conference. Also active in the Steering Committee are Professors Chircop and Saunders and Associate Susan Rolston. The topic of the conference is "The Regulation of Continental Shelf Activities: Rethinking International Standards" and will be convened on 21-22 June 2012.

## CONTINUING PROJECTS

Commenced in April 2010, “Local Integrated Coastal Zone Management in Cuba” is a project supported by the University Partnerships for Cooperation and Development of the Canadian International development Agency. The project strengthens the efforts of the Universities of Oriente and Guantanamo to build the capacities of the municipalities of Guama and San Antonio del Sur in Southeast Cuba to undertake local coastal zone environmental in a climate change adaptation context. MELAW’s partners are the Universities of Oriente (Santiago de Cuba), Guantanamo and La Habana. Also participating in the project are Dalhousie faculty or staff from the Marine Affairs Program, Faculty of Engineering and Dalhousie Research Services. Over the course of the academic year the project had two major workshops (in Baracoa and Guantanamo City) and commenced three research projects on integrated management for Rio Sevilla and Macambo, and a gender strategy for local ICZM. The project continues into the 2010-2011 academic year.

The Donner Foundation-funded project “Comparing Canadian and Russian Approaches/ Challenges in Arctic Ocean Governance Canadian-Russian Comparative Arctic Policies” commenced in 2009 and continued into 2011. Led by Professor VanderZwaag, this project has two main objectives: to further public and political understanding of Canadian and Russian approaches and challenges in Arctic ocean governance, and to encourage strengthening of future bilateral and regional cooperation in the Arctic. MELAW is collaborating with researchers associated with the Advanced Technology Research Programs (ATRP) Foundation in Moscow, Russian Federation. The MELAW team includes Professors McConnell, Saunders, Chircop and Russell.

Since 2010 MELAW has been participating, through the good offices of Professor McConnell, in NSERC CREATE Training Program on Human and Ecological Risk. Professor McConnell has been contributing to the project in collaboration with Professor William (Bill) Lahey of the Health Law Institute, Schulich School of Law. Based at the University of Saskatchewan, the project aims at developing law and science professionals, at the masters and doctoral levels, with an interest in the impact on human health of chemicals in the environment. In 2011 ECELAW (through Professor McConnell) and the Health Law Institute (Professor Lahey) cooperated in the development and delivery of an innovative interdisciplinary post graduate course offered to Doctoral or Masters level course students. Entitled “Regulatory Systems in Environmental and Health Law” the course explored how the risk assessment process of sites and chemicals is regulated by environmental and health law. The project has also provided a doctoral scholarship to Don McCrimmon, based at MELAW. Don is undertaking a thesis on climate change law under the supervision of Professor Doelle.

MELAW participation in the Ocean Tracking Network (OTN) was continued by Professor VanderZwaag. Commencing in 2008, OTN is a massive global ocean research and technology development project funded by the Canada Foundation for Innovation (CFI) – International Joint Ventures Fund, and also supported by NSERC and SSHRCC grants. It is based at Dalhousie University. The project aims at documenting movements and survival of marine animals carrying acoustic tags, including how they are influenced by oceanographic conditions.

## EDUCATION & TRAINING

The Marine & Environmental Law Programme (MELP), with its two certificates in marine and environmental law for Juris Doctor students at Schulich continued under the experienced leadership of Professor Meinhard Doelle (see p.15 for Professor Doelle's report). MELP had eighteen JD students. There were also three JSD candidates, one Interdisciplinary PhD and seven LLM students (see p.18).

Every year a number of prizes are awarded to students at the Schulich School of Law enrolled in marine and environmental law courses. Winners of the 2010-2011 prizes are listed below (p.19). The *Ocean Yearbook* also organizes an annual competition for student papers on law of the sea subjects, open to students from universities around the world. The 2011 winner was Joshua Nodelman. His paper "Admiralty Law, the

Law of the Sea Convention, and the Material Culture of Historical Shipwrecks" will be published in *Ocean Yearbook* Volume 26.

Since the 1980s, MELP has provided support for the Hamilton Shirley Amerasinghe Memorial Fellowship Program, administered by the Division for Ocean Affairs and the Law of the Sea of the UN Secretariat. In the fall term 2010 MELAW was host to Mr. Killey Ebrania Mwitasi for four months under the mentorship of Professor Moira McConnell. Mr. Mwitasi, a State Attorney (Division (Directorate) of Civil and International Law, Attorney General Chambers) from the United Republic of Tanzania, carried out independent research in the law of the sea field and produced a study "The Regime of Maritime Zones: Implications and Opportunities for Ocean Governance in Tanzania".

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## VISITORS AND PUBLIC LECTURES

On 4 October MELAW hosted a delegation from the Vietnam Administration of Seas and Islands (VASI) for a workshop on Canadian approaches to oceans governance and integrated oceans management, hosted by Professor VanderZwaag. Topics and speakers included "Liability and Compensation for Oil Spills" with Associate Kenneth MacInnis QC, "Compliance and Enforcement in Marine Environmental Protection" with Associate Hugh Williamson, and "Alternative Dispute Resolution" with Professors David Blaikie and Diana Ginn. Vu Hai Dang, one of the Institute's doctoral candidates, gave a presentation on his research in the South China Sea.

On 13 October Judge Helmut Türk of the International Tribunal for the Law of the Sea visited MELAW as part of a cross-Canada tour organized by the Austrian Embassy to Canada. Judge Türk gave a public lecture on "Water in International Law".

The Second Annual Douglas M. Johnston Lecture was given by Professor Jon Van Dyke, William S. Richardson School of Law, University of Hawaii, on 21 October. The topic of this year's lecture was "LNG Terminals in Eastern Maine and Canadian Control of its Coastal Waters." Also speaking at the event were Dean Kim Brooks, Professor Chircop and Professor VanderZwaag.

On 22 October Professor Van Dyke teamed up with Sherry Broder, a Hawaii-based attorney, to give a faculty seminar at the Schulich School of Law on "The Rights of Indigenous Peoples to Coastal and Ocean Resources and the Claims of Native Hawaiians, hosted by Professor Richard Devlin.

On 2 February MELAW was privileged to be able to welcome distinguished alumnus Ambassador William Crosbie, Canada's Head of Mission to Afghanistan, kind courtesy of the Department of Foreign Affairs

and International Trade (DFAIT). Although forced to give a short presentation because of inclement weather, Ambassador Crosbie thrilled his audience with a short but passionate talk on “Lessons Learned and Canada’s New Role in Afghanistan.” He

offered to visit Dalhousie in the future to be able to speak to the topic at greater length.

MELAW faculty gave several public lectures at Dalhousie and overseas (see p.29).

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## STUDENT ACTIVITIES

The Environmental Law Students Society (ELSS) organized the Annual Meet the Profs event with MELAW support in November 2010. As in past years, the event had a main speaker, and this year it was Professor Howard Epstein who spoke to “In the Court of Public Opinion: Recent Environmental Cases and Issues in Nova Scotia.” A reception followed in the Student Lounge.

The John E Read International Society organized the annual Ronald St. John Macdonald Symposium in January 2011, this year with MELAW support. The symposium was entitled “Breaking the ice: Arctic Issues from an Interdisciplinary Perspective,” organized by a team of students at Schulich led by Katie Lo and Emily Lukawski. The panellists included Dr. Robert Fournier (Department of Oceanography), Professor Debbie Martin (School of Health and Human Performance), Professor

David VanderZwaag (MELAW) and Mark Sloan (Centre for Foreign Policy Studies). Dean Kim Brooks, Schulich School of Law, provided opening remarks. Professor Chircop moderated the event. The well-attended evening event had lively presentations and exchanges among panellists and from the floor.

The ELSS hosted a three-day conference on Global Access to Potable Water during “Dal Water Week: Conference on Global Access to Potable Water” in March 2011. The conference had high profile participation, including Maude Barlow (Council of Canadians), Dr. Larry Swatuk (University of Waterloo), MP Megan Leslie and MELAW associate Dr. Gilbert Winham. The conference brought together law and other graduate students, undergraduate students, faculty members and community members.

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## WORKING WITH THE DALHOUSIE OCEANS COMMUNITY & OUTREACH

As in past year, MELAW worked closely with sister “oceans”, “environment” and “health” studies institutions on campus. The MELAW Director continued to be a member of the Program Advisory Committee of the Marine Affairs Program and for a short period also served on a committee to administer a new Sobeys Fund for Academic Excellence, established by a generous grant to Dalhousie University from philanthropist Frank Sobey to enable students with an interest in marine

environmental studies to undertake research and benefit from internship experiences. Through the actions of the Director, MELAW continued to cooperate closely with the Centre for Foreign Policy Studies’ marine security programme and the *Canadian Naval Review*. MELAW faculty also continued to contribute to the annual summer training course of the International Ocean Institute through advice or teaching as needed.

In May 2011 Dalhousie University played a pivotal role in the launching of the Halifax Marine Research Institute (HMRI) as a major collaborative initiative of regional universities, federal and provincial governments, and industry partners. HMRI has new premises under construction, expected to be completed in 2012. The Scientific Director is Dr. Douglas Wallace, who joins Dalhousie from the University of Kiel. MELAW was an active participant in consultations leading to the establishment of HMRI. MELAW faculty (Professors Chircop and VanderZwaag) participated in one of the first activities which brought a large number of Canadian and German scientists with DFAIT support in celebration of the 40th Anniversary of the Canadian-German Technical Cooperation

Agreement, but also to explore prospects for cooperation.

MELAW faculty continued the Weldon tradition of unselfish public service in the fields of oceans and environment. Professor Doelle continued his work as panel member of Joint Review Panel of the Lower Churchill Hydroelectric Project. MELAW continued to provide support for ECELAW. Under the leadership of Professor Chircop, MELAW teamed up with the association to assist the Province of Nova Scotia with legal research aspects of the proposed Coastal Strategy, reported above.

MELAW faculty responded to occasional requests from legal practitioners, community groups and the media for particular information or interviews.

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#### PUBLICATIONS & COMMUNICATIONS

At the time of writing of this report, volume 25 of the *Ocean Yearbook* was in press. The *Yearbook* continued to be produced in cooperation with the International Ocean Institute (Malta headquarters) and was edited by Professor Chircop, Scott Coffen-Smout and Professor McConnell. A call for submissions for volume 26 was issued with a focus on selected themes focusing on progress since the United Nations Convention on the Law of the Sea was adopted three decades ago.

*The Maritime Labour Convention, 2006: A Legal Primer to an Emerging International Regime* (Leiden: Nijhoff, 2011) is a major publication on this new international instrument. Professor McConnell co-authored this publication with Dominick Devlin and

Cleopatra Doumbia-Henry. The Maritime Labour Convention, 2006 fills a gap in the 1982 United Nations Convention on the Law of the Sea and complements the International Maritime Organization's (IMO) core conventions on ship safety, & security, training and pollution prevention.

MELAW faculty continued to be prolific scholars. During the reporting year they published more than thirty books, chapters in books and articles.

In January 2011 MELAW commenced a new quarterly newsletter, *MELAW News*, which was ably put together by Lauri MacDougall and Christel LeBlanc. Two issues (January and April) were published during the reporting period.

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#### ADMINISTRATIVE DEVELOPMENTS

Lauri MacDougall and Christel LeBlanc overhauled the MELAW website to enable it better carry information in Institute activities and make it more user friendly.

**Professor Aldo Chircop**  
*Director, Marine & Environmental Law Institute*

# IN MEMORIAM



**ROBERT WALTER CARMICHAEL**, B.Comm, Dalhousie University, LLB Dalhousie Law School, passed away at home on April 29, 2011, after a brief battle with cancer. He will be missed at the Marine & Environmental Law Institute by colleagues and students alike.

Robert Carmichael taught Oil & Gas Law in the Marine & Environmental Law Programme at the MELAW Institute. He was a partner in the Halifax office of Cox & Palmer and practiced Corporate and Commercial law with a focus on the oil and gas and energy sectors. Robert was chair of the firm's energy/oil and gas practice group. He was recognized in the Canadian Legal Lexpert Directory as a leading practitioner in the field of energy – oil and gas (corporate).

Robert's practice covered a broad range of commercial matters including mergers and acquisitions, joint ventures, secured transactions and contracts, as well as gas and electric power purchase and sale agreements. He was involved in various aspects of Nova Scotia's offshore oil and gas development including extensive involvement in the Sable Offshore Energy Project. He also had substantial involvement on behalf of producers and suppliers in a range of transactional matters and contract negotiations involving working interest acquisitions and divestitures, engineering, procurement and construction contracts and other matters.

Robert was a director of the Canadian Petroleum Law Foundation and was the former Chair of the Natural Resources and Energy Law section of the CBA - Nova Scotia branch. Robert was a member of the International Bar Association (Energy Law Section), Canadian Bar Association, the Nova Scotia Barristers' Society, and the Offshore/Onshore Technologies Association of Nova Scotia (OTANS). He was the editor of the Cox & Palmer *Oil & Gas Netletter*, a summary of recent cases in the oil and gas industry, published by Lexis Nexis QuickLaw. Other recent papers and publications include, "Securing Assets of Oil and Gas Projects Offshore Nova Scotia" - *Dalhousie Law Journal*, volume 24; "Statutory and Maritime Liens in the Atlantic Canadian Offshore" - *Dalhousie Law Journal*, volume 26; "Recent Judicial Developments in Oil and Gas Law" (co-author) - *Alberta Law Review*, volume 44.

Robert was born in Halifax, Nova Scotia, and was admitted to the Nova Scotia bar in 1983, having completed his education at Dalhousie University with a Bachelor of Commerce in 1979 and a Bachelor of Law in 1982.





## 2 MARINE & ENVIRONMENTAL LAW PROGRAMME

The MELP academic specialization, which includes the marine and environmental certificates, has remained a focus of activity under the umbrella of the Marine & Environmental Law Institute. The Associate Director of the Institute also serves as the Director of the MELP Programme, and focuses on activities related to improvement of the MELP specialization and any revisions that need to be made to the regulations to reflect current practice.

MELP offers two specialization certificates (students may obtain both) one in marine law and one in environmental law. A trend that has continued is a preference by the majority of students for the Environmental Law Specialization. In the 2010-2011 academic year, five students were awarded a Marine Law Specialization, 12 students the Environ-

mental Law Specialization, and one student earned a joint Marine & Environmental Law Specialization.

The MELP specialization, although not always in the form of a certificate programme, has been in place at Dalhousie for over 30 years. It remains a distinguishing feature of the Schulich School of Law in attracting JD (formerly LLB), LLM and JSD students.\* While not every inquiry has been tracked, numerous email, phone and in-person inquiries, usually related to admission to the JD or LLM, are regularly fielded by the MELP Director, the Administrative Assistant or other MELP faculty.

The MELP brochure and website have been revised and updated to reflect changes in teaching faculty, regulations and courses.

\* In January 2011, the LLB (Bachelor of Laws) degree was formally changed to JD (Juris Doctor)

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|------------------------------------|--|
| MELP COURSES OFFERED 2010-2011     | <ul style="list-style-type: none"><li>• Business &amp; Environmental Law (S. Foreman)</li><li>• Coastal Zone Management (L. Fanning, Marine Affairs Program)</li><li>• Energy Law (J. MacDuff)</li><li>• Environmental Law I (M. Doelle)</li><li>• Environmental Law II – Interdisciplinary Perspectives on Climate Change (M. Doelle)</li><li>• Environmental Law Placement (D. Carver, Executive Director, ECELAW)</li><li>• Fisheries Law (D. Henley)</li><li>• International Environmental Law (D. VanderZwaag)</li><li>• Law of the Sea (M. McConnell)</li><li>• Maritime Law I (Maritime Law &amp; Practice) (A. Chircop)</li><li>• Oil and Gas Law (R. Carmichael)</li><li>• Planning Law (H. Epstein / A. Ruffman)</li></ul> |
| MELP COURSES NOT OFFERED 2010-2011 | <ul style="list-style-type: none"><li>• Law of International Trade and Shipping</li><li>• Marine Environmental Protection Law</li><li>• Ocean Law and Policy</li><li>• Regulatory Systems in Environment and Health Laws</li></ul>   |

In addition, other major paper courses can qualify as electives depending on the paper topic chosen. Potential courses include Animal Law, First Nations Law, International Trade Law, Intellectual Property II, Health Systems: Law and Policy, Health Care Ethics and the Law, provided the topic is approved in writing before the paper is written, by the Marine & Environmental Law Programme's Director.

As part of ongoing review of curricular issues regarding MELP offerings, MELAW reached agreement with the other Institutes and administration to ensure that all Institutes have common administrative and evaluation standards. This means that all classes counted toward satisfaction of the Marine Law or Environmental Law specializations must be completed with no grade below C and a weighted average in those courses of at least B (i.e., 70). Students interested in registering for the Marine Law or Environmental Law specialization should complete a MELP Certificate form and are encouraged to contact the MELP Director as early as possible and ideally in their first year of study.

It is the students' responsibility to ensure that they complete all the requirements of the specialization in which they enrol. Only those courses pursued at Dalhousie Law School during a student's JD studies which lead to the successful completion of a Dalhousie University JD degree will be recognized.

On completion of all requirements, the specialization will be recognized on each student's academic transcript. Each will also receive a separate certificate attesting to the satisfactory completion of a specialization.

**Professor Meinhard Doelle**  
*Director, Marine & Environmental Law Programme*

## MELP CERTIFICATE RECIPIENTS (UNDERGRADUATE)

**James Armstrong**, Marine

**Leslie Bateman**, Environmental

**Christopher Buchanan**, Environmental

**Rick Eng**, Marine

**Rachel Godley**, Environmental

**Lauren Kautz**, Environmental

**Andrew Kinoshita**, Environmental

**Jennifer Knebel Reid**, Marine &  
Environmental

**Daniel Kutcher**, Environmental

**Frans Lotz**, Marine

**Sean McDermott**, Environmental

**Brian Munn**, Environmental

**Ryan O'Leary**, Marine

**Meaghan Richardson**, Environmental

**Matt Shyba**, Environmental

**Aaron Ward**, Environmental

**Brigid Wilkinson**, Marine

**Jaime J. Wilson**, Environmental

## GRADUATE STUDENTS (LLM & PHD/JSD)

**Vu Hai Dang**, JSD candidate, presented a paper on the regional cooperation relating to marine issues in the South China Sea at the workshop "The South China Sea: Cooperation for Regional Security and Development", organized by the Vietnamese Diplomacy Academy and Vietnam Lawyers Association in Ho Chi Minh City, Vietnam, November 11-12 2010.

**Julia Poertner**, PhD Graduate (with Department of German) is engaged in research which combines literary history, international law of the sea and political science and examines the fiction and non-fiction writings of Elisabeth Mann Borgese.

**Kerith Kentish**, LLM, focused on marine resource management with his thesis "A New Governance Approach to Designing an Effective Arrangement for the Sustainable Management of Renewable Marine Resources in the Eastern Caribbean States."

**Johan Lafeuille**, LLM, is researching the challenges of Caribbean states' participation in the International Convention on the Conservation of Atlantic Tuna.

**Sabitiyu Lawal** is from Nigeria and graduated from Obafemi Awolowo University, where she received her LLM in 2001. She looked at invasive marine species in her LLM thesis "Ballast Water Management Convention, 2004: Towards Combating Unintentional Transfer of Harmful Aquatic Organisms And Pathogens."

**Tumininu Laiyemo**, LLM is from Nigeria and attended the Olabisi Onabanjo University where she received her LLB. She studies international trade law.

**Don McCrimmon**, PhD candidate, commenced his JSD work in January 2011 under the supervision of Professor Doelle. His area of research is climate change law. Don is the recipient of an NSERC CREATE Training Program on Human and Ecological Risk scholarship, a project which at Dalhousie is co-led by Professors Moira McConnell and Bill Lahey.

**Cecilia Engler Palma**, LLM graduate, was awarded the Gold Medal for Best Masters Thesis in Humanities and Social Sciences in June, 2011, for her thesis "Allocation of Fishing Opportunities in Regional Fisheries Management Organizations: A Legal Analysis in the Light of Equity."

**Tony Puthucherril**, JSD candidate, was the winner of a 2010 Vanier Graduate Scholarship. His research is on vulnerable coastal communities and marine ecosystems, and the need for change in coastal zone management laws, with a case study of South Asia.

**Diane Rowe** is from Dartmouth, Nova Scotia and received her LLB from the University of New Brunswick and she is pursuing her LLM part-time. She works in the Department of Justice for the Province of Nova Scotia.

**Catherine Sykes**, LLM, is now a doctoral student working on the inter-relationship of international trade law and international environmental law in the food safety context.

**Kathy Zhang**, LLM is from Calgary, Alberta and attended Jilin University in Changchun, China and received her LLB in 1999. Before leaving China she served as a junior judge for five years.

# PRIZES & SCHOLARSHIPS

## **CANADIAN PETROLEUM FOUNDATION PRIZE**

Canadian Petroleum Law Foundation Prize is awarded to the student who has demonstrated an outstanding performance in the Oil and Gas Law class. The prize amount of \$1,500 was awarded to **Adam Bata**.

## **EDWARD C. FOLEY MEMORIAL SCHOLARSHIP**

The Edward C. Foley Memorial Scholarship in the memory of the late Edward (Ted) C. Foley, JD 1980 is awarded, on recommendation of the Dean, to a second or third year student who has completed at least two classes in international, marine and environmental areas and who has achieved an overall average of more than B. Consideration is also given to the personal qualities of the candidate including leadership roles assumed at the law school and community involvement. The scholarship prize of \$1,000 was awarded to **Jenna Wates**.

## **EDWARD CHARLES FOLEY PRIZE**

The Edward Charles Foley Prize is awarded to the student who is enrolled in the MELP certificate programme who has obtained a weighted average of not less than B and has demonstrated a commitment to public/community service in the environmental or related area. The prize is \$100 and was awarded to **Ryan O'Leary**.

## **ELIZABETH MAY AWARD FOR ENVIRONMENTAL SERVICE**

Elizabeth May Award for Environmental Service is awarded annually to a student in the graduating class who has been involved in promoting environmental awareness in the law school and in the broader community. Elizabeth May is an environmentalist, writer,

activist, lawyer, Member of Parliament and graduate of Dalhousie Law School ('83). Elizabeth May has exemplified a long and inspiring commitment to environmentalism and this award recognizes students who are also making a significant contribution to environmental issues and environmental law. **Fraser Thomson** received a \$300 cash prize and plaque.

## **ELKANAH RAFUSE PRIZE IN ADMIRALTY LAW**

The Elkanah Rafuse Prize in Admiralty Law was established in memory of the late Elkanah Rafuse of Halifax to provide an annual prize to the student who achieves the highest standing in Maritime Law and Practice (Maritime Law I). This is an endowment prize of \$400 and was awarded to **Rick Eng**.

## **LEXISNEXIS BOOK PRIZE**

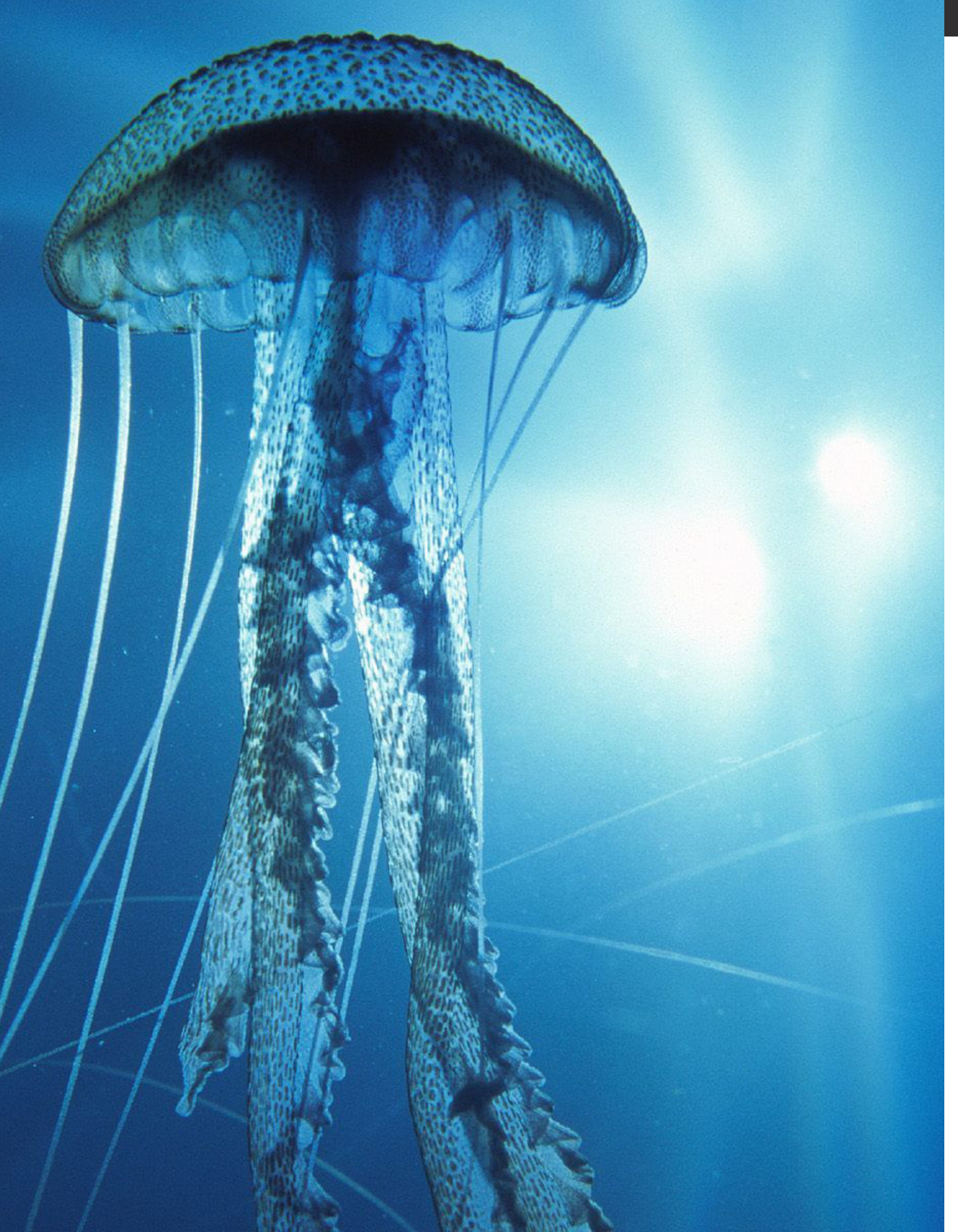
LexisNexis Book Prize is awarded to the JD student who attains the highest mark in Environmental Law I. The book prize of \$250 was awarded to **Matthew Harris**.

## **MILTON AND CAROLE EHRLICH PRIZE**

The Milton and Carole Ehrlich Prize in memory of the late Richard Weiner who was actively involved with the United Nations. A cash prize of \$300 was awarded to **Matthew Harris** in recognition of the highest standing in Law of the Sea subjects he achieved.

## **OCEAN YEARBOOK STUDENT PRIZE**

The *Ocean Yearbook* Student Prize is an annual competition open to students writing research papers on marine affairs subjects at any university or other tertiary education institution. This year's winner is **Joshua Nodelman**, who will have his paper published in *Ocean Yearbook* Volume 26.

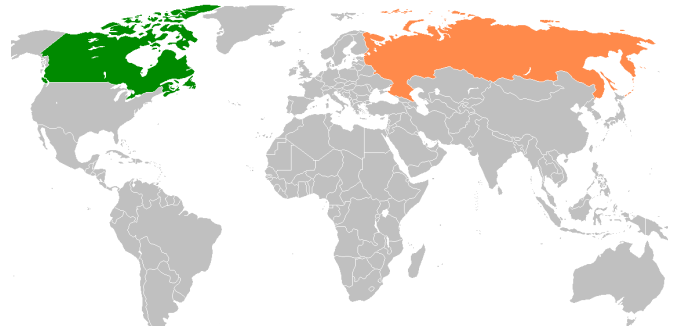


### 3 RESEARCH PROJECTS & CONTRACTS

#### **COMPARING CANADIAN AND RUSSIAN APPROACHES/CHALLENGES IN ARCTIC OCEAN GOVERNANCE - DONNER FOUNDATION**

MARCH 2008 - JANUARY 2011

With a new Arctic development era looming on the horizon due to less ice, easier human access and huge northern resource potentials including some 25% of the world's remaining hydrocarbons, this project has two main objectives: to further public and political understanding of Canadian and Russian approaches/challenges in Arctic ocean governance and to encourage strengthening in future bilateral and regional cooperation in the Arctic.



The MELAW community members are: David VanderZwaag (Principal Investigator), Aldo Chircop, Moira McConnell, Dawn Russell, Phillip Saunders, David Scott, Robert Huebert and student researchers Nathan Saruk, Jonathan Edge, Michele Charles, Susanne Ashley and Lauren Warner.

#### **LOWER CHURCHILL HYDROELECTRIC GENERATION PROJECT**

JANUARY 2009 - AUGUST 2011

Professor Meinhard Doelle continued his role as a member of the Joint Review Panel responsible for conducting an environmental assessment of the Lower Churchill Hydro-electric project in Labrador. Hearings took place in Labrador, the island of Newfoundland, and Quebec, starting on March 1 and concluding on April 15, 2011. Following the conclusion of the hearings in April, the panel had 3 months to file its report.



Other members of the panel include Lesley Griffiths, Herb Clarke, Cathy Jong and James Igloriorte.

### **LEGISLATING INTEGRATED COASTAL ZONE MANAGEMENT: TRENDS AND STRATEGIES FOR COASTAL LAW-MAKING**

APRIL 2009 - MARCH 2013

The objective of this SSHRCC-funded research project is to identify international trends and mainstream practices in national legislation concerning integrated coastal zone management (ICZM) and develop options for ICZM model legislative strategies. It is expected to contribute to a better understanding of the role, opportunities and constraints of this type of legislation in the multidisciplinary scholarly community engaged in this field. In identifying “good practice” and potential alternative strategies for ICZM legislation, this project will be of particular interest and utility to drafters of national and sub-national legislation in countries with active ICZM activities, international donor institutions and other intergovernmental and non-governmental organizations promoting ocean governance, legislative modernization and legal capacity-building.

Principal Investigator Aldo Chircop, with JSD candidates Tony George Puthucherril and David Dzidzornu, and LLM student Diane Rowe, student researchers Ryan O’Leary, Alex Gorlewski and Sonja Mills.

### **MAKING IT INTO THE ARCTIC CIRCLE: ARE CANADIAN AND EU INTERESTS AND APPROACHES COMPLEMENTARY OR CONTRADICTORY?**

OCTOBER 2009 - OCTOBER 2012

This EU-European Union Centre of Excellence (Dalhousie University) funded project undertakes indepth study of EU Arctic policy interests as set out in the Arctic Communication and Maritime Policy, efforts of DG Relex and DG Mare, and the ongoing work of the European Environment Agency (i.e., State of the European Environment Reporting). In addition to Canada comparative aspects include the Russian Federation’s and United States’ Arctic policies. In particular, the project explores how the EU will advance its interests in the Arctic without having Arctic Ocean coastal states in its membership and in the context of potential foreign policy issue-linkages.



Aldo Chircop as principal investigator and student researcher Ryan O’Leary.



## TRACKING AND PROTECTING MARINE SPECIES AT RISK: AN INTERDISCIPLINARY AND INTERNATIONAL PARTNERSHIP

MARCH 2010 - FEBRUARY 2015

Through the partnership with the Ocean Tracking Network (OTN), a collaborative joint venture funded primarily by the Canadian Foundation for Innovation and NSERC, this research project is focused on filling a major vacuum in Canadian and international research relating to the ethical, social, economic, scientific and legal dimensions involved in protecting threatened marine species, this partnership proposal has four sub-objectives. These objectives are: to build interdisciplinary networking among Canadian social science and natural science researchers interested in ensuring the future survivability and sustainability of marine species at risk off the Pacific, Arctic and Atlantic coasts; to compare how different countries and regions around the globe are faring in tracking and protecting marine species at risk; to explore options for strengthening global cooperation in conserving marine biodiversity; and to investigate how the extensive and innovative scientific information generated by OTN is understood and used by stakeholder groups and decision-makers.



David VanderZwaag, Phillip Saunders, Richard Apostle and Tsafir Gzit, along with student researcher Lauren Warner and research assistant Cecilia Engler-Palma.

## LOCAL INTEGRATED COASTAL ZONE MANAGEMENT IN SOUTHEAST CUBA

APRIL 2010 - MARCH 2015

The goal of this project is to support the implementation of local integrated coastal zone management (ICZM) in the coastal zone of Southeast Cuba. To strengthen efforts of the Universidad de Oriente (UO) and Universidad de Guantánamo (UG); to build the capacities of the municipalities of Guamá (Santiago de Cuba) and San Antonio de Sur (Guantánamo); to undertake local ICZM in order to achieve national development, environment and higher education policy objectives. The project emphasis is on particular development needs of local coastal/rural communities with a view of improving their quality of life.



The Dalhousie participants are: Aldo Chircop (Project Director), Lucia Fanning, Ronald Pelot and Pat Rodee, along with student researchers Ryan O'Leary, Julie Sobowale, Alex Gorlewski, Sonja Mills and David Dzidzornu.

## **CARBON MANAGEMENT**

JANUARY 2011 - JUNE 2013

This project is a partnership between Carbon Management Canada Inc, the University of Calgary, Dalhousie University and the University of British Columbia. It aims to contribute to the development of an international and domestic legal and regulatory framework for carbon management and especially new technologies that contribute to carbon management. It will analyse how new carbon management measures can

be integrated with national and international emission management tools, and look at the relationship between carbon management measures and international trade and investment law.

Meinhard Doelle with student researcher Emily Lukaweski.



## **TRACKING & ENVISIONING THE FUTURE FOR ARCTIC OCEAN GOVERNANCE**

MARCH 2011 - MARCH 2014

This research project will track the fast-evolving array of agreements and initiatives seeking to get a better governance grip on human uses impacting the arctic marine environment. Assessing the adequacy of global efforts including the development of a legally binding Polar Shipping Code; examining the sufficiency of regional cooperation; critiquing Canada's existing bilateral arrangement; studying Canada's implementation of land claim agreements; and envisioning future directions for Arctic Ocean governance.



David VanderZwaag and student researchers Michele Charles and Andrea Debbané.

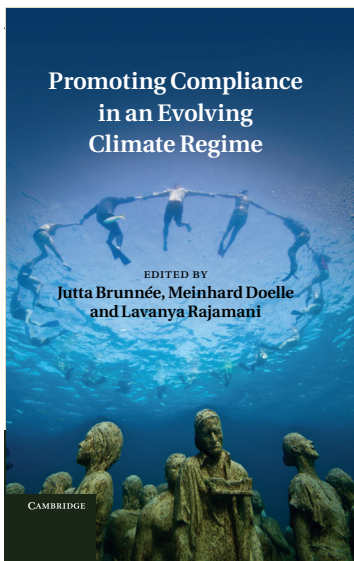
## ENVIRONMENTAL ASSESSMENT RENEWAL

APRIL 2011 – MARCH 2015

The project is a collaboration with Bob Gibson at the University of Waterloo and John Sinclair at the University of Manitoba. The research will address two competing trends in the evolution of environmental assessment (EA) law, policy and application, focusing on Canada, though the results should be illuminating for jurisdictions with similar characteristics. The two trends are

- (i) the advancing ambition of EA theory, expectations and state-of-the-art practice in providing a powerful tool for the transition to sustainability, and
- (ii) increasing pressures to make the process more efficient.

## PROMOTING COMPLIANCE IN AN EVOLVING CLIMATE REGIME

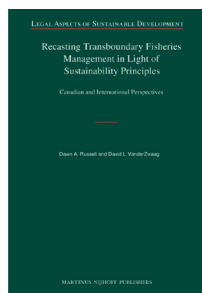


As the contours of a post-2012 climate regime begin to emerge, compliance issues will require increasing attention. This volume considers the questions that the trends in the climate negotiations raise for the regime's compliance system. It reviews the main features of the UN Framework Convention on Climate Change and its Kyoto Protocol, canvasses the literature on compliance theory and examines the broader experience with compliance mechanisms in other international environmental regimes. Against this backdrop, contributors examine the central elements of the existing compliance system, the practice of the Kyoto compliance procedure to date, and the main compliance challenges encountered by key groups of states such as OECD countries, economies in transition, and developing countries. These assessments anchor examinations of the strengths and weaknesses of the existing compliance tools and of the emerging, decentralized, 'bottom-up' approach introduced by the 2009 Copenhagen Accord and pursued by the 2010 Cancun Agreements.

Edited by Jutta Brunnée, Meinhard Doelle and Lavanya Rajamani.



# INSTITUTE PUBLICATIONS



## **Recasting Transboundary Fisheries Management in Light of Sustainability Principles: Canadian and International Perspectives**

Leiden: Martinus Nijhoff, 2011

*Edited by Dawn A. Russell & David L. VanderZwaag*

From the publisher's website: *Recasting Transboundary Fisheries Management in Light of Sustainability Principles* reviews and critiques key recasting efforts with a primary focus on Canada's transboundary fisheries management arrangements for the Pacific and Atlantic oceans. It provides a primer on the international law and policy framework governing transboundary fisheries and offers bilateral and regional case studies in the search for more principled fisheries governance approaches based on the new sustainability imperatives.

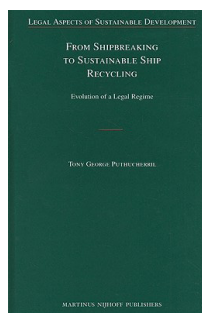


## **The Maritime Labour Convention, 2006: A Legal Primer to an Emerging International Regime**

Leiden: Martinus Nijhoff, 2011

*Moira L. McConnell, Dominick Devlin, Cleopatra Dombia-Henry*

From the publisher's website: The Maritime Labour Convention, 2006 (MLC, 2006), is the fourth pillar of the international maritime regulatory regime. It complements the International Maritime Organization's (IMO) core conventions on ship safety and security, training and pollution prevention. The volume discusses the MLC, 2006 within the contexts of labour and maritime law.



## **From Shipbreaking to Sustainable Ship Recycling: Evolution of a Legal Regime**

Leiden: Martinus Nijhoff, 2011

*Tony George Puthucherril*

Ship recycling conserves resources, employs an unskilled workforce, and removes outdated tonnage. The book offers recommendations for a holistic and integrated approach to a sustainable ship recycling industry.



## **Ocean Yearbook 25**

Leiden: Martinus Nijhoff, 2011

*Edited by Aldo Chircop, Scott Coffen-Smout and Moira L. McConnell.*

The Yearbook continues to be published in association with the International Ocean Institute.



## **MELAW Quarterly Newsletter**

MELAW News was established in January 2011 to inform associates and colleagues in Canada and around the world of recent, current and prospective initiatives of the Institute in a crisp and informal manner.



## 4 PUBLIC LECTURES, VISITORS & OUTREACH

JUNE 21, 2010

### UNICPOLOS Paper

At the UN Informal Consultative Process on the Law of the Sea (UNICPOLOS) in New York, Phillip Saunders delivered a paper on “Capacity -Building and the Law of the Sea: Evolution and Legal Context.”

OCTOBER 5, 2010

### VASI Workshop

MELAW Associates David VanderZwaag, Hugh Williamson and Ken MacInnis held a workshop for delegates from the Vietnam Administration of Seas and Islands (VASI).



L to R: Pham Ngoc Son, Hugh Williamson, Doan Thi Thanh My, Nguyen Van Cu, David VanderZwaag, Tong Thi Hong Minh, Nguyen Van Liem and Kenneth MacInnis.



**SEPTEMBER - DECEMBER 2010**

#### **Visiting Scholar Killey Mwitasi**

In the fall term 2010 MELAW and the Schulich School of Law had the privilege of hosting Mr. Killey Ebrania Mwitasi, the 23rd recipient of the prestigious United Nations Hamilton Shirley Amersinghe Memorial Fellowship, for 4 months of the research studies portion of his fellowship. Mr. Mwitasi, a State Attorney (Division (Directorate) of Civil and International Law, Attorney General Chambers) from the United Republic of Tanzania, carried out independent research in the law of the sea field and produced a study “The Regime of Maritime Zones: Implications and Opportunities for Ocean Governance in Tanzania”.



**OCTOBER 13, 2010**

#### **Water in International Law**

Judge Helmut Türk of the Austrian Embassy presented his lecture “Water in International Law (Fresh Water)” on October 13, 2010. Judge Türk, an Austrian lawyer and career diplomat, is also the VP of the International Tribunal for the Law of the Sea, which is the independent judicial body established by the UN Convention on the Law of the Sea to adjudicate disputes arising out of application and interpretation.

He has been on the Committee of Legal Advisers of the Council of Europe on Public International Law and the Austrian Representative at the International Seabed Authority. His most recent publication is “The Contribution of the International Tribunal for the Law of the Sea to International Law,” in *The International Legal Regime of Areas Beyond National Jurisdiction: Current and Future Developments*, 2010.

Judge Türk’s lecture was made possible with the support of the Austrian Embassy.



OCTOBER 21, 2010

**Second Annual Douglas M. Johnston Ocean Governance Lecture**

MELAW welcomed Jon Van Dyke, of the Richardson School of Law, University of Hawaii, who lectured on the topic: “LNG Terminals in Eastern Maine and Canadian Control of its Coastal Waters.”

Professor Van Dyke has been on the faculty at the University of Hawaii at Manoa William S. Richardson School of Law, since 1976. He is a Member of the International Editorial Board of Marine Policy (1988-present); a Member of the Board of Advisors

of the Center for International Environmental Law, Washington, D.C. (1993-present) and a Member of the International Advisory Board, Law of the Sea Institute, based at the University of California at Berkeley Law School.

Dean Kim Brooks, Professor Aldo Chircop and Professor David VanderZwaag provided introductory remarks.



L to R: David VanderZwaag, Jon Van Dyke, Aldo Chircop, Dean Kim Brooks

OCTOBER 21, 2010

**Lecture at Centre for Foreign Policy Studies (CFPS)**

Professor Aldo Chircop gave a public lecture on “China and the Arctic: The Emergence of China as a Polar Capable State” at the Centre for Foreign Policy Studies at Dalhousie University.



L to R: Sherry Broder, Jon Van Dyke, Susan Rolston

OCTOBER 22, 2010

### Faculty Seminar

Jon Van Dyke and Sherry Broder, a Hawaii-based lawyer with a long history of involvement in social justice litigation, gave a faculty seminar entitled “The Rights of Indigenous Peoples to Coastal and Ocean Resources and the Claims of Native Hawaiians.”

**DALHOUSIE UNIVERSITY**  
MARINE & ENVIRONMENTAL LAW INSTITUTE

The Environmental Law Students' Society (ELSS) and the Marine & Environmental Law Institute

## MEET THE PROFS

Come meet the professors of the Marine & Environmental Law Programme!

MARINE & ENVIRONMENTAL LAW INSTITUTE  
Schulich School of Law  
6052 University Avenue  
Halifax, NS B3H 4R9  
Canada  
T: 1 902 494 1388  
F: 1 902 494 1316  
melaw@dal.ca  
www.dal.ca/melaw

***In the Court of Public Opinion:  
Recent environmental cases and  
issues in Nova Scotia***

**Howard Epstein, GUEST SPEAKER**  
Professor Epstein has been directly involved in the practice, teaching and political process of both environmental and municipal law. In his private law practice, he has represented clients challenging planning decisions before appeal tribunals and in the courts. In 1994 he was elected to Halifax City Council and then in 1996 to the Halifax Regional Council after amalgamation. In 1998 he was elected MLA for Halifax Chebucto and was re-elected in 1999, 2003, 2006 and 2009. His experience has involved many years of volunteer work for the Ecology Action Centre, Nova Scotia's main citizens' environmental advocacy organization, as well as a term as its Executive Director. He has appeared on its behalf in environmental assessments and before regulatory tribunals, and has been a member of the Board of Directors of Greenpeace Canada.

► **NOVEMBER 2, 2010**

**PROGRAMME**

**LECTURE 5:30 - 6:30 PM**  
Room 104, Weldon Law Building

**RECEPTION 6:30 PM**  
Student Lounge, Weldon Law Building

ALL MELP STUDENTS and FACULTY WELCOME!

NOVEMBER 2, 2010

### Meet the Profs

The annual “Meet the Profs” event, presented in collaboration with the Environmental Law Students Society (ELSS), was held November 2nd. Guest speaker and MELAW associate Howard Epstein gave a lecture titled “In the Court of Public Opinion: Recent environmental cases and issues in Nova Scotia.” A reception followed in the Student Lounge.

“Meet the Profs” was instituted in 2007 for students in the Marine & Environmental Law Programme (MELP) to meet and mingle with the MELP professors.

NOVEMBER 3, 2011

### Paper at 8th Marine Law Symposium

Phillip Saunders delivered a paper entitled “Canadian Fisheries Management: Law, Policy and Discretion” at the 8th Marine Law Symposium at Roger Williams University School of Law, Rhode Island.

**DECEMBER 2010**

**Lecture at the European Union Centre of Excellence**

Professor Chircop gave a public lecture at the European Union Centre of Excellence at Dalhousie entitled “From Silk Route to Ice Route: Arctic Governance, International Shipping and the European Union.”

**JANUARY 19, 2011**

**Lecture at Maritime Museum of the Atlantic**

Professor Chircop gave a public lecture at the Maritime Museum of the Atlantic in Halifax on “China, the European Union and the Arctic” at a meeting of the Company of Master Mariners of Canada.

**FEBRUARY 2, 2011**

**Canada’s Ambassador to Afghanistan: “Lessons Learned and Canada’s New Role in Afghanistan”**

Ambassador William Crosbie has been a key figure in Canada’s engagement in Afghanistan since he assumed the position of Head of Mission in June 2009. At a presentation on the future of Canada’s role in Afghanistan at the Schulich School of Law on February 2, 2011, Ambassador Crosbie discussed the progress that Canada has made to-date in Afghanistan and the impact this work has had on the lives of ordinary Afghans.

**FEBRUARY 20, 2011**

**Future of Arctic Symposium**

Professor VanderZwaag addressed the topic, “How Might Energy Companies Operate in the Arctic Without Clear Maritime Borders” at the Future of the Arctic Symposium, John Hopkins University School for Advanced International Studies, Washington DC.

**DECEMBER 2010**

**Lecture at Centre for Foreign Policy Studies**

Professor Aldo Chircop attended the Chief of Naval Operations Global Shipping Game at the US Naval War College, Newport, RI. The simulation brought together 70 experts from government, industry and academia to consider future scenarios for shipping routes through the Panama Canal and the Arctic.

**JANUARY 21, 2011**

**Interdisciplinary Arctic Symposium**

Professor David VanderZwaag participated as panelist in the “Breaking the Ice: Interdisciplinary Arctic Symposium” convened by the John E. Read Society of International Law at the Schulich School of Law.

**FEBRUARY 10, 2011**

**Lecture at University of Calgary Law School**

Phillip Saunders delivered a public lecture at the University of Calgary Law School on “The Canadian Offshore: Regulatory Challenges” as part of a symposium on the impact of the Offshore Horizon Incident.

**MARCH 4, 2011**

**Public Lecture at Health Law Institute**

Professor VanderZwaag gave a public lecture in the Health Law Institute’s annual lecture series at the Schulich School of Law. On March 4, he addressed the topic “The Precautionary Approach and the International Control of Toxic Chemicals: Beacon of Hope, Sea of Confusion and Dilution.”



## 5 MARINE & ENVIRONMENTAL LAW INSTITUTE FACULTY & ASSOCIATES



### ALDO CHIRCOP, Director

Professor Aldo Chircop (JSD, 1988) is Director of the Marine & Environmental Law Institute. He is a full professor of law and specialist in international and comparative marine and environmental law and policy. Specific topics of current research and teaching interest include Arctic policy and marine transportation, international law of the sea, international maritime law, integrated coastal management, comparative coastal law and marine protected seas.

Dr. Chircop's work experience has included directorships of the International Ocean Institute and the Mediterranean Institute in Malta. While in Malta, he was also a member of that country's delegation to the Preparatory Commission for the Law of the Sea. In 2004-2005

Dr. Chircop was Canadian Chair in Marine Environment Protection at the IMO's World Maritime University in Malmö, Sweden. A former Commonwealth Fellow, Dr. Chircop is also recipient of the Dalhousie Faculty of Graduate Studies Distinguished Service Award and the Dalhousie Students' Union Teaching Excellence Award for the Faculty of Law. Dr. Chircop is co-editor of the *Ocean Yearbook* and has published widely in the peer-reviewed literature.

### 2010-11 GRAD SUPERVISION

As supervisor: Tony George Puthucherril, JSD Candidate

As committee member: Vu Hai Dang, JSD Candidate

As co-supervisor (with Constance MacIntosh): Diane Rowe, part-time LLM

As co-supervisor: Julia Poertner, Interdisciplinary PhD

As co-supervisor: Anja Pfutscheller, LLD thesis at the University of Innsbruck, Austria

As co-supervisor: Catarina Crilo, PhD at the University of Lisbon, Portugal

As DRP supervisor: Dina Abuzaid, a coursework LLM student

### RECENT PUBLICATIONS

*Ocean Yearbook Volume 25*, co-edited with Scott Coffen-Smout and Moira L. McConnell. Leiden: Nijhoff, 2011.

"China and the Arctic: The Emergence of China as a Polar Capable State," 7 *Canadian Naval Review* 9-14 (2011).

"Regional Cooperation in Marine Environmental Protection in the South China Sea: A Reflection on New Directions for Marine Conservation," 41 *Ocean Development & International Law* 1-23 (2010).

"Area-based Management on the High Seas: Possible Application of the IMO's Particularly Sensitive Sea Area Concept," co-authored with Julian Roberts and Siân Prior, 25 *International Journal of Marine & Coastal Law* 483-522 (2010). R

"The Role of International Environmental Instruments in Enhancing Transboundary Marine Protected Areas: An Approach in East Africa," co-authored with Jose Guerreiro, David Dzidzornu, Catarina Grilo, Raquel Ribeiro, Rudy van der Elst and Ana Viras, 35 *Marine Policy* 95-104 (2010). R

"A Gulf United: Canada-US Transboundary Marine Ecosystem-Based Governance in the Gulf of Maine," co-authored with Larry Hildebrand, 15 *Ocean & Coastal Law Journal* 339-380 (2010). R

## RESEARCH & PROJECTS

SSHRC standard research grant, Principal Investigator: "Legislating Integrated Coastal Zone Management: Trends and Strategies for Coastal Law-Making."

Principal Investigator and Project Director, CIDA funded: "Local Integrated Coastal Zone Management in Cuba" cooperatively with the Cuban universities of La Habana, Oriente and Guantanamo and including government participants.

European Union Centre of Excellence (EUCE) (EU funding), Investigator of sub-project: Comparative Canadian-EU Arctic policy.

Comparing Canadian and Russian Approaches/Challenges in Arctic Ocean Governance (Donner Foundation), Co-Investigator with Moira McConnell and Ivan Bunik on comparative Canadian and Russian Arctic shipping regulation.

ICZM education in Uruguay, a CIDA/AUCC funded project (with Robert Fournier et al.).

Governance of Arctic Areas beyond National Jurisdiction, funded by the Pew Charitable Trusts, Natural Resource defense Counsel, Total Foundation, Canadian Consulate in Anchorage, (with Mike Sfraga, Lawson Brigham and David VanderZwaag). Commenced in 2010.

Research support for the Coastal Strategy of Nova Scotia process, cooperatively with the East Coast Environmental Law Association (Deborah Carver) and Marine Affairs Programme (Lucia Fanning & Chris Burbidge)

## CONFERENCES & LECTURES

"Integrated Coastal and Ocean Management law and policy in the European Union and Canada: Comparing Approaches and Lessons in Complex Jurisdictions," co-authored with Ryan O'Leary, Coastal Zone Canada, Charlottetown, Prince Edward Island (July 2010); panel chair at the same conference.

"Researching Best Practices in Coastal Zone Management Legislation using a Comparative Law Approach," presented at a meeting of the New England & Maritimes Marine Law Group, Vermont Law School (November 2010).

Participant in the Global Shipping Game focusing on the Arctic and Panama Canal at the US Naval War College, Newport (December 2010).

Chair of "Breaking the Ice: Interdisciplinary Arctic Symposium" organized by the Ronald St. John Macdonald Symposium on International Law, Schulich School of Law, Halifax (January 2011).

Conferencia Magistral 1 (keynote address), at IV International Conference on Integrated Management of Coastal Zones (CARICOSTAS 2011), Santiago, Cuba, May 2011.

"Legal Frameworks for Integrated Coastal and Ocean Management in Canada and the EU

Some Insights from Comparative Analysis," presented at the Vermont-McGill Joint Cross-Border Sustainability Initiative workshop, convened at McGill Law School (June 2011).

Panel Chair at Conference on Maritime Border Diplomacy, 35th Annual Conference on the Law of the Sea and Ocean Policy, convened by the Ministry of Foreign Affairs, Indonesia and the Centre for Ocean Law and Policy, University of Virginia, Bali, Indonesia, 22-24 June 2011

Simulation Exercise Moderator at "Shipping & Environmental Issues in 2011: What More can be Done?" Conference of the Company of Master Mariners of Canada, Halifax (June 2011).

Participant at the German-Canadian Workshop on Cooperative Research in the North Atlantic Ocean, Dalhousie University, Halifax (June 2011).

"The Comparative Law Approach to Legal Scholarship: Theory & Practice," seminar to graduate students in the Graduate Seminar, Schulich School of Law, Dalhousie University (October 2011)

"China's Arctic Policy," a public lecture at the Centre for Foreign Policy Studies, Dalhousie University (October, 2010)

"From Silk Route to Ice Route Arctic Governance, International Shipping and the European Union," a research seminar delivered at the European Union Centre of Excellence, Faculty of Arts and Social Sciences, Dalhousie University (January, 2011)

"China, the European Union and the Arctic," a lecture to the membership of the Company of Master Mariners of Canada (January, 2011)

Keynote address to the 51st International Ocean Institute's summer training programme (June, 2011)



### **MEINHARD DOELLE, Associate Director and MELP Director**

Associate Professor Meinhard Doelle specializes in environmental law. He is the Associate Director of MELAW and the Director of the Marine & Environmental Law Programme. From 1996 to 2001, he was the Executive Director of Clean Nova Scotia. He has been involved in the practice of environmental law in Nova Scotia since 1990 and in that capacity served as drafter of the NS Environment Act. He currently is environmental counsel to the Atlantic Canada law firm of Stewart McKelvey. From 2000 to 2006, he was a non-governmental member of the Canadian delegation to the UN climate change negotiations. From January to May 2008, he was a visiting scholar at the Environmental Law Center of the IUCN in Bonn, Germany. Dr. Doelle served on the environmental assessment panel for the Lower Churchill Hydroelectric Project.

Professor Doelle has written on a variety of environmental law topics, including climate change, energy law, invasive species, environmental assessments, and public participation in environmental decision-making. His most recent books are entitled: *Environmental Law: Cases and Materials*, *The Federal Environmental Assessment Process, a Guide and Critique*, and *From Hot Air to Action: Climate Change, Compliance and the Future of International Environmental Law*.

#### **2010-11 GRAD SUPERVISION**

As supervisor: Kerith Kentish, LLM

As supervisor: Don McCrimmon, JSD Candidate

As committee member: Tony Puthucherril, JSD Candidate

#### **RECENT PUBLICATIONS**

(with John Terry) "International Framework", in D. Mahony ed., *Climate Change Law in Canada* (Aurora: Canada Law Book, 2011)

(co-author) "Strengthening Strategic Environmental Assessment in Canada: An Evaluation of Three Basic Options" (2010) 20 *J. Env. L. & Prac.* 175

(with John Sinclair) "Mediation in Environmental Assessments in Canada: Unfulfilled Promise?" (2010) 33 *Dalhousie Law Journal* 117

"Early Experience with the Kyoto Compliance System: Possible Lessons for MEA Compliance System Design" (2010) 1 *Climate Law* 237

#### **RESEARCH & PROJECTS**

In January 2009, Meinhard was appointed to the Federal/Provincial Review Panel for the Lower Churchill Hydro-Electric Project in Labrador.

In 2010, Meinhard accepted a three year appointment with the Sustainability College here at Dalhousie. The initial task involved the development of a new course, entitled humanity in the natural world. The course uses a problem based learning approach. The course will be offered for the second time in the fall of 2011.

Meinhard has continued his connection with the practice of environmental law as environmental counsel at Stewart McKelvey.

New Governance Approaches SSHRC grant, with Chris Tollefson, Fred Gale, Neil Craik and others, *Public Administration* special issue

*Compliance in an emerging Climate Regime*, with Jutta Brunnee and Lavanya Rajamani, CUP

Climate Liability, Canadian Chapter, CUP

Carbon Management Canada – With Nigel Bankes, Shaun Fluker, University of Calgary, Shi-Ling Hsu, UBC Law School; on carbon capture and storage in the international climate regime.

SSSHRC Standard Research Grant – Model EA legislation project with Bob Gibson, University of Waterloo and John Sinclair, University of Manitoba

Municipal Climate Mitigation – with Ben Richardson, UBC Law School

### **LECTURES & PRESENTATIONS**

- Presented on “Climate Change Mitigation in Canada”; Lecture at St. FX University, Antigonish, February 10.
- Presented on “Reforming federal EA”; Renewing Environmental Law Conference, Vancouver, BC, February 4-5.
- Presented on “Law & Policy Options for Climate Change Mitigation”; Renewing Environmental Law Conference, Vancouver, BC, February 4-5.
- Presented on “Climate Liability & Litigation in Canada”; Conference on Climate Liability, London, England, January 16-17.
- Panel on “How to Fix Environmental Problems” Environmental Studies Program, Dalhousie, Nov 30.
- Presented on “Application of Kyoto Compliance System to Canada” at CCIL Conference, Oct 28-30, Ottawa.
- Presented on “Jurisdiction over Coastal Issues” at ECELAW workshop, July 23.
- Presented on “Land-based Pollution” at ECELAW workshop, July 23.





### DAVID VANDERZWAAG, Canada Research Chair

Dr. David VanderZwaag holds the Canada Research Chair (Tier 1) in Ocean Law and Governance. He teaches in the areas of international environmental law and law of the sea. He is the past Co-director of Dalhousie's interdisciplinary Marine Affairs Program and past Director of the Marine & Environmental Law Institute.

Dr. VanderZwaag is a member of the IUCN's Commission on Environmental Law (CEL) and Co-chair of the CEL's Specialist Group on Oceans, Coasts & Coral Reefs. He is a Co-founder and Co-chair of the Australian-Canadian Oceans Research Network (ACORN) and has had extensive research and lecturing experience in South and Southeast Asia, the South Pacific, Europe, and the Caribbean. Dr. VanderZwaag has authored over 100 papers in the marine and environmental law

field. He has co-led the writing of the ocean governance chapter of the Arctic Marine Shipping Assessment under the auspices of the Protection of the Arctic Marine Environment (PAME) Working Group of the Arctic Council.

Professor VanderZwaag's educational background includes: PhD (1994, University of Wales, Cardiff), LLM (1982, Dalhousie Law School), JD (1980, University of Arkansas Law School), MDiv (1974, Princeton Theological Seminary), and BA (1971, Calvin College).

#### Canada Research Chair Renewal in Ocean Law & Governance

On July 1, 2010, Dr. David VanderZwaag was awarded a seven year renewal as the Canada Research Chair (Tier 1) in Ocean Law and Governance at Dalhousie University, Halifax, Canada. Dr. David VanderZwaag is making possible major accomplishments in areas of ocean law, research, governance and policy, including publishing articles and reports, providing research training, offering lectures and workshops, and leading major projects.

#### 2010-11 GRAD SUPERVISION

As supervisor: Vu Hai Dang, JSD Candidate  
 As reader: Catherine Sykes, LLM  
 As mentor: Kathy Zhang, LLM  
 As supervisor: Johanan Lafeuillee, LLM

#### RECENT PUBLICATIONS

D.L. VanderZwaag, "Ocean Dumping and Fertilization in the Antarctic: Tangled Legal Currents, Sea of Challenges" in *Science Diplomacy: Antarctica, Science, and the Governance of International Spaces* (Washington: Smithsonian Institution Scholarly Press, 2011) 245-252.

D.A. Russell and D.L. VanderZwaag, *Recasting Transboundary Fisheries Management Arrangements in Light of Sustainability Principles: Canadian and International Perspectives*. (Leiden, The Netherlands: Martinus Nijhoff, 2010).

D.L. VanderZwaag, "The Gulf of Maine Boundary Dispute and Transboundary Management Challenges: Lessons To Be Learned" (2010) 15 *Ocean & Coastal Law Journal* 241.

T.L. McDorman and D.L. VanderZwaag, "American-Canadian Ocean Boundary Disputes and Cooperation" in *Max Planck Encyclopedia of Public International Law*, available online: <<http://www.mpepil.com>> (Heidelberg: Max Planck Institute for Comparative Public Law and International Law, and Oxford University Press, 2010).

T. Koivurova, E.J. Molenaar and D.L. VanderZwaag, "Canada, the EU, and Arctic Ocean Governance: A Tangled and Shifting Seascape and Future Directions" (2010) 18 *Journal of Transnational Law & Policy* 247.

D.A. Russell and D.L. VanderZwaag, "Recasting Transboundary Fisheries Management Arrangements in Light of Sustainability Principles" in *Recasting Transboundary Fisheries Management Arrangements in Light of Sustainability Principles* (Leiden: Martinus Nijhoff, 2010) 3-6.

D.A. Russell and D.L. VanderZwaag, "The International Law and Policy Seascape Governing Transboundary Fisheries" in *ibid.* 9-24.

D.A. Russell and D.L. VanderZwaag, "Ecosystem and Precautionary Approaches to International Fisheries Governance: Beacons of Hope, Seas of Confusion and Illusion" in *ibid.* 25-69.

E.J. Pudden and D.L. VanderZwaag, "Canada-United States Bilateral Fisheries Management in the Gulf of Maine: Struggling Toward Sustainability Under the Radar Screen" in *ibid.* 177-207.

P.M. Saunders and D.L. VanderZwaag, "Canada and St. Pierre and Miquelon Transboundary Relations: Battles and Bridges" in *ibid.* 209-237.

E.J. Pudden and D.L. VanderZwaag, "The North Atlantic Salmon Conservation Organization (NASCO): Surpassing a 25 Year Voyage in Transboundary Cooperation but Still Confronting a Sea of Challenges" in *ibid.* 307-346.

D.A. Russell and D.L. VanderZwaag, "Challenges and Future Directions in Transboundary Fisheries Management: Concluding Reflections" in *ibid.* 522-525.

D. L. VanderZwaag, "Law of the Sea and Governance of Shipping in the Arctic and Antarctic" in Natalia Loukicheva (ed.), *Polar Law Textbook* (Copenhagen: Nordic Council of Ministers, 2010) 45-64.

Legal Aspects of Arctic Shipping, Report submitted to the European Commission (London: MRAG, 2010) (with Erik Molenaar, Stephen Hodgson, Huni Heidar Hallsson, Tore Henriksen, Lena Holm-Peterson, Maxim Vladimirovich Korel'skiy, James Kraska, Bjarni Már Magnússon, Susan Rolston and Andrew Serdy).

## RESEARCH & PROJECTS

Principal Investigator, SSHRC Standard Research Grant, "Tracking and Envisioning the Future of Arctic Ocean Governance."

Principal Investigator, Donnor Canadian Foundation funded project, "Comparing Canadian and Russian Approaches/Challenges in Arctic Ocean Governance."

Invited member of the Royal Society of Canada's Expert Panel on Sustaining Canada's Marine Biodiversity: Responding to the Challenges posed by Climate Change, Fisheries, and Aquaculture (2010-present).

Theme leader, legal and social dimensions research component, Ocean Tracking Network (OTN) initiative, led by Dalhousie's Department of Oceanography.

Participated on the editorial boards of various journals: *Journal of Environmental Law and Practice*, the *Ocean Yearbook* and *Ocean and Coastal Management*.

Regional editor for *Canadian Environmental Law*, 2nd ed. (Butterworths), and the *Yearbook of International Environmental Law* (Oxford) also continued.

Co-chair of the IUCN Specialist Group on Oceans, Coasts and Coral Reefs and as a member of the Commission on Environmental Law.

Member, Steering Committee of the Global Forum on Oceans, Coasts and Islands.

Appointment to the team of scientific advisors (SCARs) of the Arctic Graduate School (ARKTIC) at the Arctic Centre, University of Lapland, Finland continued.

Governance of Arctic Areas beyond National Jurisdiction, funded by the Pew Charitable Trusts, Natural Resource Defense Counsel, Total Foundation, Canadian Consulate in Anchorage, (with Mike Sfraga, Lawson Brigham and Aldo Chircop). Commenced in 2010.

## LECTURES & PRESENTATIONS

"The Precautionary Approach and the International Control of Toxic Chemicals: Beacon of Hope, Sea of Confusion and Dilution" (Health Law Institute Seminar Series, Schulich School of Law, Halifax, March 4, 2011)

"How Might Energy Companies Operate in the Arctic Without Clear Maritime Borders?" (Future of the Arctic Symposium, Johns Hopkins University School of Advanced International Studies, Washington, D.C., February 2, 2011)

"Introductory Comments: Arctic Research Interests" (Breaking the Ice: Interdisciplinary Arctic Symposium, Schulich School of Law, Halifax, January 21, 2011)

"The Governance of Arctic Marine Shipping: Breaking Ice, Sea of Challenges" (Canadian Counsel on International Law, 39th Annual Conference, Ottawa, October 2010)

"The Governance of Arctic Marine Shipping: Breaking Ice, Sea of Challenges" (Arctic Ocean Review Workshop, Washington, D.C., September 13-14, 2010)

"The Future of International Institutional Arrangements in the Arctic: Foggy Horizons, Sea of Challenges" (Japan – Canada – U.S. Conference Series on Trilateral Cooperation, JIIA Conference Room, Tokyo, August 30-31, 2010)

"Canada and St. Pierre & Miquelon Transboundary Relations: Battles and Bridges" (Coastal Zone Canada Conference, Charlottetown, PEI, July 2010) (with Phillip Saunders)



## MOIRA MCCONNELL

Dr. Moira L. McConnell is a Professor of Law and an Associate (former Director) of the Marine & Environmental Law Institute. She has been a member of the Faculty of Law since January 1989 and a member of the Nova Scotia Bar Society since 1990.

She was the first Director of the Marine & Environmental Law Institute (2004-2007). Dr. McConnell has also been a Co-director of Dalhousie University's Marine Affairs Program and is a former Executive Director of the Law Reform Commission of Nova Scotia.

Professor McConnell is also a Special Advisor to the Director, International Standards Department, International Labour Organization (ILO) in connection with the Maritime Labour Convention, 2006 and is an Expert/

Resource person for the ILO International Training Centre (ITC), Turin, Italy (ToT, MLC, 2006 course). Over the last decade she has undertaken a number of international and regional projects (e.g., Legislative Review Project under the GEF/UNDP/IMO Global Ballast Water Management Programme; research in the European Commission project - ECOPORTS) and is currently involved in a number of projects with MELAW and in cooperation with the Health Law Institute (CREATE).

Professor McConnell is also involved in working with Masters and Doctoral level candidates at Dalhousie University and elsewhere (e.g., Advisor to the MBA Programme in Shipping and Logistics at Copenhagen Business School; doctoral supervisor for the Faculty of Law, University of Bergen, Norway) and is affiliated with the Mediterranean Programme for International Environmental Law and Negotiation at the MEPIELAN CENTRE, Panteion University, Athens.

In 2009 Professor McConnell was elected to membership in the International Academy of Comparative Law and is the General Rapporteur for the International Congress (2010) session on Air and Maritime Law. She is also a member of a number of other organizations including the IUCN - Commission on Environmental Law (CEL), the Society of International Economic Law, the International Commission of Jurists (ICJ - Canada, Canadian Council), Canadian Council on International Law, the American Society of International Law, the Canadian Maritime Law Association, Women in International Trade and Shipping (Canada) (WISTA), the Legal Education Action Fund (LEAF).

Dr. McConnell's current teaching and research interests are in the fields of public and private international law and domestic law including; shipping, law of the sea, ocean governance, international labour law, international environmental law, contract law and public law. She is a Co-editor of the international interdisciplinary Ocean Yearbook (1998-) and an Associate Editor of the Yearbook of International Environmental Law (2006-). She has published widely in the fields of international law, law of the sea, governance systems, corporate governance, administrative and constitutional law, environmental law, maritime law and policy, social justice and human rights.

## GRAD SUPERVISION

As supervisor: Sabitiyu Lawal, LLM

As reader: Tumininu Laiyemo, LLM

As examiner: Kerith Kentish, LLM

As committee member: Vu Hai Dang, JSD Candidate

## RECENT PUBLICATIONS

M.L. McConnell, "Observations on Compliance and Enforcement and Regional Fisheries Institutions: Overcoming the Limitations of the Law of the Sea", Chapter 4 in D. Russell and D.VanderZwaag, eds., *Strengthening Canada's Regional Fisheries Management Arrangements in Light of Sustainability Principles*, (Leiden/Boston: Martinus Nijhoff Publishers, 2010) 71-98.

M.L. McConnell, "Observations on the Law Applicable on the Continental Shelf and in the Exclusive Economic Zone: A Comparative View" in the *Ocean Yearbook*, Vol 25, eds. A. Chircop, S. Coffen-Smout, M.L. McConnell (Leiden/Boston: Martinus Nijhoff/Brill, 2010) 220-248.

Moira L. McConnell, Dominick Devlin, Cleopatra Doumbia-Henry. *The Maritime Labour Convention, 2006 A Legal Primer to an Emerging International Regime* (Leiden/Boston: Martinus Nijhoff, 2011).

A. Chircop, S. Coffen-Smout and M.L. McConnell, eds., *Ocean Yearbook*, Volumes 24 (2010) & 25 (2011) (Leiden/Boston: Brill Martinus Nijhoff, 2010).

One of 5 Associate Editors, *Yearbook of International Environmental Law* Vols. 19 (2009 (published 2010) & 20 (2010 published 2011) (Oxford: Oxford University Press).

M.L. McConnell, Featured guest article, "The ILO's Maritime Labour Convention, 2006: filling a gap in the law of the sea" MEPIELAN – E-Bulletin, April 2011  
<http://www.mepielan-ebulletin.gr>

M.L. McConnell, "The Maritime Labour Convention, 2006 – Reflections on Challenges for Flag State Implementation", presentation to The Company of Master Mariners of Canada, International Congress, Shipping and Environmental Issues in 2011: What more can be done?, Halifax, Nova Scotia, Canada, June 8, 2011, revised version published in *WMU Journal of Maritime Affairs*, Vol 10, (2011) 127-141.



### DAWN RUSSELL

Associate Professor Dawn A. Russell practiced law in Halifax for five years with the Atlantic law firm of Stewart McKelvey Stirling Scales before beginning her career as a law teacher in 1987 as an Assistant Professor. She received tenure and was promoted to Associate Professor in July 1992. She served as Acting Dean of Dalhousie Law School from May 1, 1995 to March 31, 1996 and as Dean from April 1, 1996 to June 30, 2005. She served as the acting Purdy Crawford Chair in Business Law from July 1, 2006 to June 30, 2007 and was recently appointed to the Chair for a 3 year term ending June 30, 2010.

Professor Russell was President and a member of the Law Reform Commission of Nova Scotia from 1994 to 2002; Secretary of the Canadian Council of Law Deans from 1997 to 1998, and President from 1998 to 1999; a member of Nova Scotia Bar Council from 1995 to 2005, and a member of the Executive Board of the Canadian Council on International Law from 1994 to 2001. She currently chairs the Maritime Rhodes Scholarship Selection Committee and serves as a member of the John Peters Humphrey Fellowship Selection Committee. She completed six years of service on the Board of Directors of the Canadian Institute of Resources Law in December 2005.

Professor Russell is on leave effective July 1, 2011. She is currently the President of St. Thomas University in Fredericton, New Brunswick.

### GRAD SUPERVISION

Examiner LLM: Cecilia Engler Palma



### PHILLIP M. SAUNDERS

Associate Professor Phillip M. Saunders is cross-appointed to the School for Resource and Environmental Studies and is a Research Fellow at the Centre for Foreign Policy Studies. He is a Member of the Nova Scotia Bar. His teaching and research interests are in international marine and environmental law, maritime boundary delimitation, tort law, judicial remedies and international fisheries law. Professor Saunders was formerly with the International Centre for Ocean Development, as Senior Policy Advisor and as Field Representative, South Pacific. He has managed and delivered development and training projects in the areas of marine and environmental law in the South Pacific, the Caribbean, the Indian Ocean, Southern Africa, Southeast Asia, South Asia, Central America and Russia. He acted as counsel for Nova

Scotia in the arbitration of the boundary between the offshore areas of Nova Scotia and Newfoundland, and is co-general editor of *International Law, Chiefly as Interpreted and Applied in Canada* (7th ed., 2006).

Professor Saunders was on administrative leave from July 2010 to June 2011.



### **LAURI MACDOUGALL, Administrative Assistant**

Ms. Lauri MacDougall has been with the Marine & Environmental Law Institute and its predecessor MELP for seven years, and the Law School for nine. She began working for Dalhousie University in 2002 in the Law School's Alumni & Development office. Prior to joining Dalhousie, she spent several years in the sales, advertising and special event fields where she was heavily involved in major event planning, preparing and managing budgets and various secretarial support. Since becoming a part of Institute staff she has managed the coordination of lectures, receptions, meetings and workshops, hosted by the Institute and has been integral in the compilation of reports relating to many projects, as well as managing the grants and contracts awarded to the Institute. She also provides assistance to Institute visitors and oversees the research students, ensuring their needs ranging from office space, computer services and payroll. Her current responsibilities include providing secretarial services to five full-time faculty including the current Canada Research Chair in Ocean Law and Governance, as well as all necessary administrative duties and responsibilities driven by the Institute.

### **PART-TIME TEACHING ASSOCIATES**



Associate Professor Robert Currie, of the Nova Scotia Bar, was formerly a civil litigator with McInnes Cooper (Halifax). He received his LLB at Dalhousie and his LLM at Edinburgh, and has been teaching at the Schulich School of Law on a part-time or full-time basis since 2001. He is a specialist in public international law, particularly international criminal law, and his work focuses on the penal and liability aspects of international environmental law and the law of the sea. He acts as a legal consultant on a regular basis, and has published widely. He currently teaches in the areas of evidence, tort law, civil procedure and international criminal law.



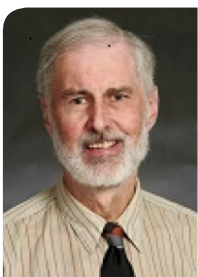
Howard M. Epstein has been directly involved in the practice, teaching and political process of both environmental and municipal law. In his private law practice, he has represented clients challenging planning decisions before appeal tribunals and in the courts. In 1994 he was elected to Halifax City Council and then in 1996 to the Halifax Regional Council after amalgamation. In 1998 he was elected MLA for Halifax Chebucto and was re-elected in 1999, 2003, 2006 and 2009. His experience has involved many years of volunteer work for the Ecology Action Centre, Nova Scotia's main citizens' environmental advocacy organization, as well as a term as its Executive Director. He has appeared on its behalf in environmental assessments and before regulatory tribunals. He has been a member of the Board of Directors of Greenpeace Canada. He taught Environmental Law at Acadia University (1995, '96, '97) in addition to Land Use Planning within MELP at Dalhousie University, and publishes regularly on land use law topics.



**Sean Foreman** is a Partner with Wickwire Holm in Halifax and practices in the environmental, litigation and energy and natural resources groups with an emphasis on commercial litigation, environmental, administrative and regulatory law. Sean's long-term involvement in the scouting movement and love of outdoor pursuits formed the background for his first degree in Environmental Studies (Geography) from the University of Waterloo (1995), and his graduation from Dalhousie Law School in 1998 with his JD and a Certificate of Specialization in Environmental Law from the Marine & Environmental Law Institute. Among his many professional and community volunteer positions, Sean served as Chair of the National Environment, Energy & Resources Law Section (NEERLS) of the Canadian Bar Association (CBA) from 2007-2008, having served as Chair of the Nova Scotia Section in 2002-2003. Sean was honoured to receive the inaugural Zoe Odei Young Lawyers' Distinguished Service Award from the CBA (Nova Scotia) in 2003, and one of three national 'Outstanding Young Canadian' (Vanier) Awards presented across Canada in September 2005 for leadership and service to the Community. Most recently, he was the recipient of the 2007 Dalhousie University 'Outstanding Young Alumnus of the Year' Award.



**David Henley** is a partner in the Halifax office of Stewart McKelvey Stirling Scales in the area of maritime, energy and natural resources, and environmental law. After a career in the army as an artillery officer, he was admitted to the Nova Scotia Bar. He continues to serve in the Army Reserve as a Colonel. Mr. Henley represents various maritime and offshore interests. He spent a year at an east coast shipyard acting as in-house counsel where he dealt with the varied issues arising from shipbuilding and ship repair. As well, he has acted as a claims handler at a Protection and Indemnity Club in London handling all aspects of claims related to vessels. He is a past chair of the CBA Environmental Law Subsection, Nova Scotia. He has written and presented papers on a variety of subjects at industry seminars and currently teaches Fisheries Law in MELP programme.



**Professor Hugh Kindred**, having moved from full to part time faculty member in 2008, continues to teach in the fields of ocean transportation, overseas trade and international law. He is a member of the bars of Nova Scotia and England and a past chair of the Carriage of Goods Committee of the Canadian Maritime Law Association. He is also a member of the board of directors of the Canadian Council on International Law and of the editorial boards of the Ocean Yearbook and the Canadian Yearbook of International Law, and he serves as the coordinator of Canadian contributions to the Oxford Reports on International Law in Domestic Courts. In 2003 he was honoured by the Canadian Association of Law teachers with its Award for Academic Excellence. In addition to numerous articles and book chapters on maritime, commercial and international law, Hugh has published *Marine Cargo Delays* (with Max Ganado), *Multimodal Transport Rules* (with Dr. Mary Brooks) and *Canadian Maritime Law* (with Drs. Edgar Gold and Aldo Chircop), which was co-winner of the Walter Owen Book Prize for 2003-05.



**James MacDuff** is an Associate at McInnes Cooper's Halifax, Nova Scotia office. He practices in the area of regulatory and administrative law, with a particular focus on electricity rate setting and other energy matters. He has represented clients in a variety of proceedings before the National Energy Board and the Nova Scotia Utility and Review Board. James advises clients on federal and provincial energy and environmental issues, and has assisted in the preparation of responses to Requests for Proposals for Renewable Energy and in the negotiation of power purchase agreements.



**Associate Professor Constance MacIntosh** has been a faculty member with the Schulich School of Law, Dalhousie University, since 2002. Prior to joining the law school, from 2000-2002 she was an Associate Lawyer at Mandell Pinder, a boutique firm which specializes in First Nation rights and resource management. From 1999 to 2000 she articulated at Faskens after receiving her JD from Osgoode Hall Law School where she was the Class Gold Medalist in 1999. Professor MacIntosh's current research focuses upon the impact of provincial/federal jurisdictional divisions on First Nation reserve water Quality. She has published extensively in the areas of aboriginal law and women's rights.



**A. William Moreira, Q.C.** is a partner in the Halifax office of Stewart McKelvey. He holds a Bachelor of Arts Degree from St. Mary's University and a Bachelor of Laws Degree from Dalhousie University. Will conducts an extensive practice in admiralty and commercial litigation, public law and energy and regulatory law. He has appeared before all Courts in Nova Scotia, the Federal Court of Canada, the Supreme Court of Canada and the National Energy Board. He has participated in facilities, export license and toll applications before the National Energy Board as well as judicial review proceedings involving the Canada-Nova Scotia Offshore Petroleum Board. He has over 20 years of practice before the Federal Court of Canada and in multi-national proceedings in maritime and admiralty litigation. Will is the former President of the Canadian Maritime Law Association and is a member of a number of other national and international associations.



**Dr. Chidi Oguamanam** practised intellectual property law in Lagos, Nigeria in one of that country's top corporate law firms before moving to the University of British Columbia for graduate studies. He served in the United Nations Convention on Biological Diversity's (CBD) Technical Expert Working Group on Genetic Use Restriction Technologies (GURTs). He is a graduate fellow of the Canada Institutes of Health Research (CIHR) Training Program in Ethics of Health Research and Policy. He is a member of the Nigerian Bar Association and Nova Scotia Barristers' Society. Dr. Oguamanam is an Associate Professor and the Director of the Law & Technology Institute. He teaches courses in Contracts and Judicial Rule-Making, Law & Technology and Advanced Intellectual Property, which are his main areas of research interests. Dr. Oguamanam was the recipient of the 2009 Boden Ladner Gervais Summer Fellowship for his new research project on Intellectual Property and Global Governance. He is a Faculty Associate of the Marine & Environmental Law and Health Law Institutes in the Law School.

In July 2011, Professor Oguamanam left Dalhousie University to take a position at the University of Ottawa.





Alan Ruffman is a marine geologist and geophysicist who has mapped the offshore of eastern Canada for some 44 years. He is president of the consulting firm Geomarine Associates Ltd. in Halifax. He is not a lawyer, or a politician; he never got closer than 46 votes to being elected as a county councilor in two tries. His consolation prize was to be appointed as a member of the Halifax County Planning Advisory Committee for two years; he also served as the Chair and Co-Chair of the District 5 (Chebucto Peninsula) Detailed Area Planning Committee that developed the first planning strategy for the area, as well as the accompanying land use zoning by-law, over about a 3 ½ year period. He has taken six appeals to the Utility and Review Board, or to its predecessors; he lost his first appeal but won the war, won his next three on the Halifax waterfront, and has lost two, one of which he had the audacity to appeal to the Nova Scotia Court of Appeal; he lost. In the course of these appeals, he has precipitated three retaliatory legislative amendments to provincial, or municipal statutes.

His community involvement over 39 years has regularly touched on planning issues. He is a charter member of the Ecology Action Centre, Friends of the Public Gardens and Friends of the Common. He is active with the Heritage Trust of Nova Scotia and volunteers with the Sable Island Preservation Trust. He has co-represented the Ecology Action Centre during the Environmental Assessment of the Sable Island offshore gas project, and the onshore pipeline to the U.S. across the Maritime Provinces. He is an Honorary Research Associate at Dalhousie University's Department of Earth Sciences, and is a registered Professional Geoscientist (P.Geo.). He has participated with Howard Epstein in the Land Use Planning course within the Marine & Environmental Law Institute at Dalhousie Law School for eleven years now.



Wylie Spicer, Q.C., is a Partner in the Halifax office of McInnes Cooper whose areas of practice are maritime law, energy and natural resources, and litigation. Wylie has many publications and teaches Maritime Law at Dalhousie University. A former Managing Partner of the firm, he was chosen as one of the Top 50 CEO's in Atlantic Canada in 2006. He has an AV rating from Martindale-Hubbell and is recognized in many publications as a Leading Practitioner in Maritime Law in Canada. He has advised clients on all aspects of the Canadian Off-shore Industry for over 25 years. Wylie is President of the Canadian Bar Association for Nova Scotia, a member of the Nova Scotia Barristers' Society, the Canadian Maritime Law Association, and the International Bar Association. He also was recently appointed by the Province of Nova Scotia to the Board of Directors of the Art Gallery of Nova Scotia and is a member of the Board of the Nova Scotia Hearing and Speech Foundation.

Wylie is President of the Canadian Bar Association for Nova Scotia, a member of the Nova Scotia Barristers' Society, the Canadian Maritime Law Association, and the International Bar Association. He also was recently appointed by the Province of Nova Scotia to the Board of Directors of the Art Gallery of Nova Scotia and is a member of the Board of the Nova Scotia Hearing and Speech Foundation.



**Gilbert Winham**, Adjunct Professor of Law, teaches and conducts research in the area of international trade law and policy. Dr. Winham is a Professor Emeritus of Political Science, a fellow of the Royal Society of Canada and a past Woodrow Wilson Fellow (2001-2002). He has served frequently on NAFTA dispute settlement panels. Dr. Winham has over twenty years experience in training government officials from developing countries in trade policy and negotiation at the GATT/WTO in Geneva. He has served as an on-site consultant in connection with the application for accession to the WTO of Jordan and the Kyrgyz Republic. He is currently Chair of the Board of Directors for the North-South Institute, Ottawa and was a Distinguished Visiting Professor for the Centre for International Studies, Munk Centre, University of Toronto (2004/05). He teaches the international trade law course that is recognized under the Marine & Environmental Law Programme.

#### **NON-TEACHING ASSOCIATES**



**Bill Charles, Q.C.**, Professor Emeritus, formally a full time member of the Faculty of Law and Dean (1979-85) is still active in the environmental area. Currently serving as special council to the Nova Scotia Law Reform Commission he has been actively involved in the preparation of a Discussion Paper on Contaminated sites in Nova Scotia (March/09). Professor Charles taught environmental law at the law school in the 90s and has had considerable experience with the Environmental Impact Assessment process in the last fifteen years. This experience includes among other assignment serving as the Nova Scotia representative on a Joint Federal/Provincial Assessment Panel dealing with Remediation of the Sydney Tar Ponds (2006-2007), Chair of a Provincial assessment panel to evaluate strip mining (coal) in Stellarton, NS and Chair of an assessment panel to evaluate a proposal to construct an incinerator to burn garbage in the Metro/Halifax area. Prof Charles has also served as President of The Environmental Control Council (N.S./1993-95) and Chair of the Environmental Assessment Board (1995-98).



**Scott Coffen-Smout** is an oceans management biologist with the Oceans and Coastal Management Division, Fisheries and Oceans Canada, at the Bedford Institute of Oceanography, in Halifax, Nova Scotia. Scott holds a B.Sc. in biology and a Marine Affairs Diploma from Dalhousie University and an M.Sc. in marine environmental science from the University of Wales, Bangor. His professional affiliations include being an alumnus of the International Ocean Institute, a member of the Ocean Management Research Network, an associate of the Marine & Environmental Law Institute, and co-editor of the Ocean Yearbook. Scott has had a varied interdisciplinary career in oceans management and oceans policy research, fisheries development, management and research, shellfish aquaculture development, management and research, and marine affairs project management.



**Mark Covan** is Senior Counsel (Practitioner) with the Public Prosecution Service of Canada, Atlantic Regional Office, Halifax, Nova Scotia, and has worked as a Federal Prosecutor for over 10 years. Mr. Covan has a BA from Toronto and an JD and LLM from Dalhousie University. He has extensive trial litigation experience, primarily in the area of narcotic/controlled substances criminal prosecutions, and has acted as Counsel for the Crown on a number of Charter and constitutional law cases. He has appeared before the Supreme Court of Canada, and all levels of court in Nova Scotia, New Brunswick and Newfoundland and Labrador and has extensive experience conducting appeals before the Courts of Appeal in those Provinces.

His research interests are in the area of offshore jurisdiction, compliance and enforcement, with particular emphasis on ship-source oil pollution, and how states go about enforcing their international obligations through domestic legislation. He is an avid scuba diver and underwater photographer, his photographs having been published on several occasions in dive-related publications.



**Neil Craik** is an Associate Professor at the School of Environment, Enterprise and Development at the University of Waterloo. He teaches and researches in the fields of Canadian and international environmental law, with a particular focus on bi-lateral and tri-lateral environmental governance structures in North America. He is the author of *The International Law of Environmental Impact Assessment* (Cambridge University Press, 2008), and co-author of *Canadian Municipal and Planning Law, 2d.* (Carswell, 2003). He is also co-general editor of *Public Law: Cases, Materials and Commentary* (Emond Montgomery, 2006). Professor Craik's research has recently been published in the *Chicago Journal of International Law*, the *Bulletin of Science, Technology and Society*, and the *University of New Brunswick Law Journal*. His research is currently supported by research grants from the Social Science and Humanities Research Council of Canada and Genome Atlantic. Prior to his appointment at the University of Waterloo, Neil was a faculty member at the University of New Brunswick, Faculty of Law.



**Linda F. Duncan** has over 30 years experience in environmental law, policy and resource management in government, private and international sectors. Extensive experience in the design and delivery of programs and strategies for: effective environmental regulation; alternative approaches to enforcement and compliance; efficient allocation of regulatory and compliance staff and resources; coordination of central and regional agency mandates through delegation, decentralization or de-concentration; enhanced compliance through negotiated rule-making; inter-agency communications and team building; public outreach, consultations, and cooperative management involving NGOs, local and indigenous communities and First Nations. Extensive experience in the design and delivery of technical training programs including outreach to other government agencies and to regional or local authorities. Experience with development and maintenance, of regional regulatory, resource management and enforcement networks. She is currently a Member of Parliament for Edmonton Strathcona and New Democrat Critic for the Environment.



**Kenneth A. MacInnis, Q.C.**, is a Halifax lawyer and former senior manager in public service. He has expertise in marine oil pollution liability and compensation. He has made significant contributions nationally in Ottawa as the Administrator directing Canada's Ship-source Oil Pollution Fund (1998-2006), and internationally as Head of the Canadian delegation, and otherwise, at sessions of the International Oil Pollution Compensation Funds in London.

Called to the Bars of British Columbia and Nova Scotia, he has considerable domestic and international experience, including having conducted a high profile marine, environmental, community planning and fisheries law private practice. Publications include, MacInnis Q.C., K.A., "The Canadian SSOP Fund and Environmental Damage Assessment (EDA) in Canada" in Maes, F., ed., *Marine Resource Damage Assessment, Liability and Compensation for Environmental Damage* (Springer Publishers, Dordrecht 2005) 67. Mr. MacInnis has a history of volunteer leadership in political, education, legal and social services sectors.



**Susan Rolston** is sole proprietor of Seawinds Consulting Services, providing research, writing, editing, indexing, and management and production of publications services. Ms. Rolston's areas of special expertise include marine policy and management, maritime security, the environment, and international affairs and development. Over the past two and a half decades, she has held research and management positions with marine-related institutes and programs at Dalhousie University. Ms. Rolston has contributed to numerous marine science and policy publications. She is a co-editor, with Aldo Chircop and Ted L. McDorman, of *The Future of Ocean Regime-Building: Essays in Tribute to Douglas M. Johnston* (Martinus Nijhoff, 2009). She holds a B.A. (Hons.) from the University of Western Ontario and a M.A. from Dalhousie University, both in Political Science. Ms. Rolston is a Fellow of the Centre for Foreign Policy Studies, Dalhousie University, and a member of the Steering Committee of the Bay of Fundy Ecosystem Partnership (BoFEP). She is Coordinator of the Ocean Management Research Network's International Ocean Governance Working Group.



**Hugh Williamson** is a consultant in Marine and Environmental Law and Management, International Oceans Institute of Canada: Maritime Surveillance, Surveillance Networks and Enforcement Integration. He is responsible for organising and delivering training in fisheries enforcement and prosecution, and for Fisheries Policy and environmental protection analysis. He is an adjunct professor in the Marine Affairs Programme, Dalhousie University, and lecturer on Environmental NGO's at Lester B Pearson International Peacekeeping Training Centre, Clementsport, Nova Scotia. He is also a visiting professor to the United Nations World Maritime University in Malmo, Sweden, and Staff Officer Naval Cooperation and Guidance of Shipping / Naval Intelligence for the Canadian Armed Forces Maritime Command Lecturer in Military Law and Law of the Sea at the Canadian Forces Fleet School.

## HONORARY ASSOCIATES



**Brian Flemming** has been a Crown Corporation chair, policy advisor, consultant, writer and international lawyer. Most recently, he was the Chair of the Canadian Air Transport Security Authority (CATSA), a Crown Corporation that was created by Parliament on April 1, 2002, to improve security at Canadian airports and on Canadian aircraft. He acted as CATSA's first Chief Executive Officer and oversaw the setting up of CATSA. Mr. Flemming is a former senior partner of the Atlantic regional law firm of Stewart McKelvey Stirling Scales (formerly Stewart, MacKeen and Covert), where he practised law from 1964 to 1976, and again from 1979 to 1984 when he left to pursue business interests and to perform public service.

In addition to his law practice, teaching, and public service he has served as director of a significant CBC corporation and developed a career as a columnist and political commentator. Mr. Flemming was one of the teachers at MELP when it began in the 1970s. He taught Commercial Law at Saint Mary's University in Halifax and the Law of International Institutions, Public International Law of the Sea and Fisheries Law & Policy at Dalhousie Law School and was the first person to offer advanced courses in Public International Law at Dalhousie. He also taught International Law at the Naval War College at Newport, R.I. In the 1970s, he created a course in international law for Canadian naval officers at the Warfare School at CFB "Stadacona". He has also given numerous lectures and papers at universities, conferences and institutions in Canada, the United States and Latin America.



**Professor Edgar Gold** grew up and went to sea in Australia but settled in Halifax, Canada, in the early 1960s. He is a consultant to and former senior partner with the law firm Huestis Ritch in Halifax, where he specialized in maritime, energy and environmental law and international commercial law. He was appointed Queen's Counsel in 1995. He also served as the Honorary Consul of the Federal Republic of Germany for Nova Scotia and Prince Edward Island, 1986-1998. He is a former President of the Canadian Maritime Law Association and a Titulary Member of the Comité Maritime International. Dr. Gold is a Master Mariner (UK and Canada) and served at sea for 16 years, including several years in command. He was Professor of Law (1975-1994) and Professor of Resource and Environmental Studies (1986-1994) at Dalhousie University, Halifax. He is a founding member of Dalhousie Law School's Marine and Environmental Law Institute (formerly MELP). He continues to hold the position of Adjunct Professor in the Faculty of Law as well as with the Dalhousie University's Marine Affairs Program.

He was also a founder and former Executive Director of the Dalhousie Oceans Studies Programme (DOSP), and the International Institute for Transportation and Ocean Policy Studies (IITOPS), the predecessors of the International Oceans Institute of Canada. His special areas of interest and expertise include maritime law, international marine, offshore energy and environmental law and policy, maritime training, and international ocean development. Professor Gold has active experience in most regions of the world and has completed over 250 publications in the maritime law and policy field. He has received honorary degrees from the Canadian Coast Guard College (1992) and the World Maritime University (2007), and was awarded the Commander's Cross of the Order of Merit by the German Government in 1997; the Order of Canada (C.M.) in 1997, and the Order of Australia (A.M.) in 2005.



**Professor Arthur J. Hanson, O.C.**, is a Distinguished Fellow and former President of the International Institute for Sustainable Development (IISD). He was a Professor and Director of the School for Resource and Environmental Studies at Dalhousie University. Prior to that, during the mid-1970s, he worked with the Ford Foundation in Indonesia. Dr. Hanson addresses environment and economy, biodiversity, oceans, and international development concerns globally, in Asia and in Canada. He was one of the founders of the Dalhousie Ocean Studies Programme (DOSP) in the 1970s.

He has served on Canada's National Round Table on the Environment and Economy (NRTEE), as Canada's Ministerial Ocean Ambassador with the Department of Fisheries and Oceans, and in a number of other national advisory posts. He has initiated several major international development activities in Southeast Asia, and currently is a Member and Lead Expert of the China Council for International Cooperation on Environment and Development (CCICED). He is chairing a Working Party on Biotechnology, Sustainable Development and Canada's Future Economy for the Canadian Biotechnology Advisory Committee. Dr. Hanson is a member of the Canadian Foundation for Innovation (CFI), and a Mentor with the Trudeau Foundation. He is an Officer of the Order of Canada.

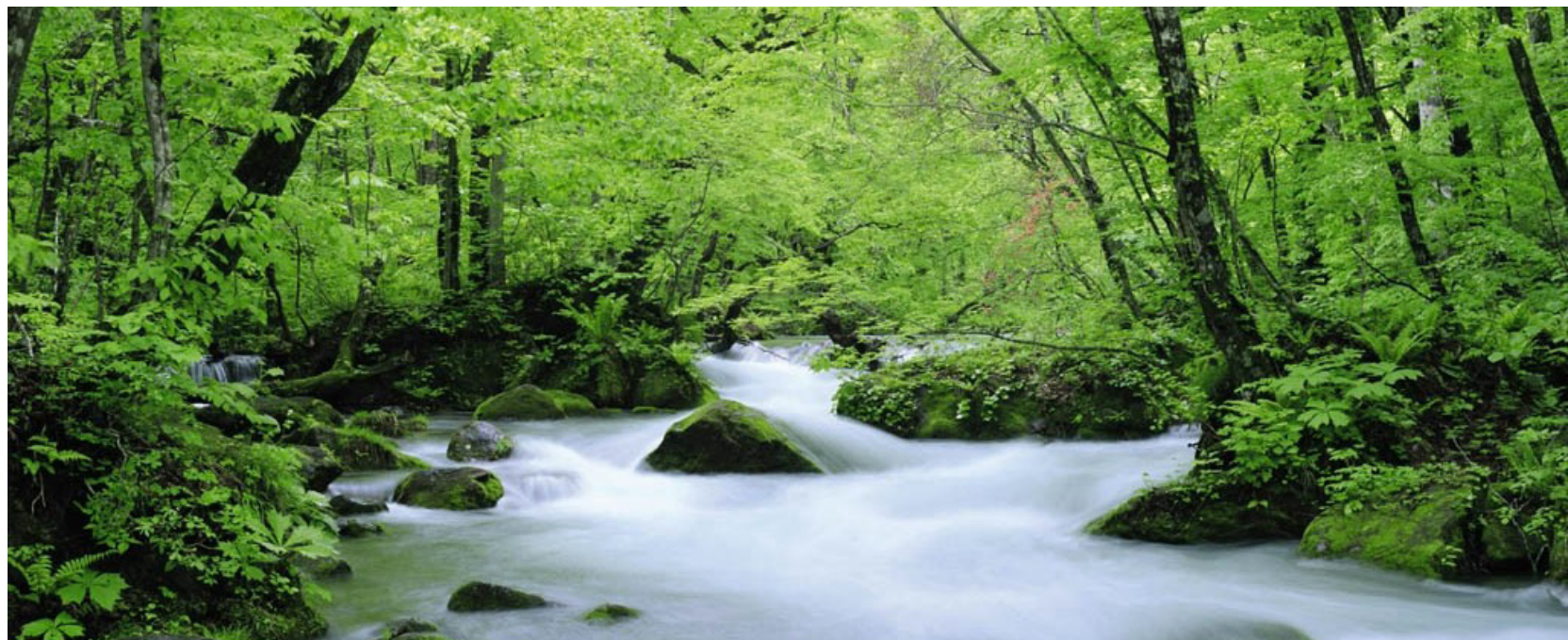


**Professor Emeritus Christian L. Wiktor** was the Sir James Dunn Law Librarian at Dalhousie Law School for 27 years. Before working at Dalhousie Law Library, he spent ten years in library positions at the New York Public Library in Manhattan, and the State University of New York at Buffalo, Faculty of Law and Jurisprudence. In addition to his formal degrees he was a doctoral candidate in international law at the University of Paris (Sorbonne), specializing in the law of treaties. He continued this interest in producing a number of research tools such as the collection of Unperfected Treaties of the United States, 1776-1976, and the Canadian Treaty Calendar, 1928-1978, both published by Oceana, and two new publications on treaties, *Multilateral Treaty Calendar 1648-1995*, and *Treaties Submitted to the U.S. Senate: Legislative History, 1989-2004*, published by Nijhoff in 1998 and 2006. In 2003, Professor Wiktor published the *Index to Canadian Treaties 1979-2003*. His previous training as a bibliographer at the New York Public Library caused him to produce the first *Canadian Bibliography of International Law* published by the University of Toronto Press in 1984. He was the founder and editor of the *Marine Affairs Bibliography*, a current comprehensive index of marine law and policy literature (Vols. 1-13, 1980-1992). Professor Wiktor published recently two essays in tribute to two outstanding international legal scholars and co-editors of remarkable publications, entitled: "The Publications of Ronald St. John Macdonald," (1954-2006), published in the *Canadian Yearbook of International Law* (Vol. 44, pp. 479-502), and, with Ted L. McDorman, "The Publications of Douglas Millard Johnston," (1960-2008), published in *The Future of Ocean Regime-Building*, edited by Aldo Chircop, et al., published by Nijhoff in 2009 (pp. 739-765).

Professor Wiktor was an associate of the Oceans Institute of Canada, and is now an honorary fellow of the Marine & Environmental Law Institute. He has been for many years, a member of the Board of Editors for the *Ocean Yearbook*. Professor Wiktor continued research on the history of U.S. treaty practice (from 1789) at the U.S. Senate Library in Washington, D.C., and as visitor at the University of South Carolina Law School in 2008 and 2009.

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