

2004 – 2005 ANNUAL REPORT

Marine & Environmental Law Institute

Oceans ↔ Environment ↔ Sustainability
Law • Policy • Governance

Dalhousie Law School
6061 University Avenue
Halifax, NS B3H 4H9
Canada

tel: (+1 902) 494-1988
fax: (+1 902) 494-1316

email: <melaw@dal.ca>
web: <www.dal.ca/law/MELAW>

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Overview

The Marine & Environmental Law Institute (MEL Institute), based at Dalhousie Law School, draws on a history of over 30 years of research excellence and consultancy and training expertise in marine and environmental law and policy matters. The Institute's Primary Researcher is the holder of an appointment as a senior Canada Research Chair in Ocean Law & Governance and its Director, Associate Director and Associates, all of whom are members of the full and part-time faculty at Dalhousie Law School, teach in the Marine & Environmental Law Programme (MELP), operated under the auspices of the Institute. The Associates carry out scholarly research projects as well as providing independent advisory services to agencies of the United Nations, international non-governmental organizations and regional organizations and policy advice to government departments and non-governmental organizations in Canada and overseas.

The Institute was established by the Board of Governors of Dalhousie University in the spring 2004 as a centre of excellence with a focus on Canadian and international oceans and environmental governance, law and policy. 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 federal and provincial governments; and undertaking contracted capacity-building for ocean and environmental governance in other parts of the world. In carrying out their 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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1. Director's Report

This is the first Annual Report of the Marine & Environmental Law Institute. It is both the oldest and youngest of the three Institutes established by Dalhousie Law School as a way to highlight and build upon particular strengths in the faculty. It is the oldest of the Institutes in that the creation of the Institute and some of the changes associated with that creation, have simply given a new form to the teaching and research expertise that has been in place for over 30 years - known as the Marine & Environmental Law Programme (MELP). MELP was created in the 1970s as a specialty area for teaching and research at Dalhousie Law School. In the late 1970s Law faculty associated with MELP, former Professors Douglas Johnston and Edgar Gold, along with Professor Art Hanson (formerly of the School for Resource and Environmental Studies (SRES)) and Sir Graham Day, then Director of the Canadian Marine Transportation Centre received a major SSHRC grant to establish the Dalhousie Ocean Studies Programme (DOSP), a major interdisciplinary research and teaching programme. DOSP eventually ended in the 1980s but the MELP Law faculty continued to work together in joint research and international development and consultancy projects carried out under the auspices of various entities, such as the Oceans Institute of Canada. The MELP academic specialization remained an important distinguishing aspect of the Law School curriculum and, in the mid-1990s, began to offer Certificates of Specialization in combination with the LLB degree. Despite the development of Institutes as structures operating within the Law School, beginning with the Health Law Institute in the early 1990s, MELP continued to operate as a Committee and a Programme. The MELP faculty developed a brochure, published books and carried out projects under the "MELP" banner: an "institute" in all but name. An initiative led by former MELP Director, Professor Aldo Chircop, combined with the timely award of a Tier II Canada Research Chair in Ocean Law and Governance to Professor David VanderZwaag in 2003 (which provided the resources), led to the decision to change MELP to an Institute – the youngest of the Institutes at Dalhousie Law School.

This synopsis of the history of the development of the Marine & Environmental Law Institute is intended to acknowledge the past and those who contributed to building the Institute and to provide a context for the following discussion of Institute activities in its first year.¹ Unlike many new institutes, which need to develop a programme of activities, the Marine & Environmental Law Institute has continued to carry out and build upon activities and practices that had been in place for nearly 30 years, including, as of the 1990s, the position of a Director, albeit under a new organizational status and name. Thus the LLB teaching and post-graduate research and supervision programme known as MELP continues to operate, including retaining its name, under the administrative umbrella of the Institute. At the same time the decision to change the organizational framework was taken with a view to creating new opportunities to take advantage of existing opportunities, to the benefit of the Law School, its students and the University. This idea has also proven to be well-founded. Nothing has been lost and, as the Institute has evolved over the last year since it was established, it appears much has been, and will be, gained by this change.

The balance of this first Director's Report provides a brief discussion of the administrative arrangements regarding staffing, facilities and governance – the interstitial aspects of the operation of the Institute. The Report then highlights a number of important administrative and research activities and accomplishments of the past year. The rest of the Annual Report (Parts 2-8) provides more detailed information about the Institute's Associates and various research and teaching activities.

¹ This report follows the University's academic year, rather than the fiscal year, to better reflect the teaching and other activities of the Institute.

Administrative and Staffing Arrangements

This Director's Report is written from the perspective of a Law faculty member who has several times, in the 1990s been the Director of MELP, a position then held as a committee responsibility. Historically the position of MELP Director was seen as a responsibility and a collegial service on the part of MELP teaching faculty and, to-date, has rotated annually or bi-annually between almost all of the full-time MELP faculty members. Under the structure for the new Institute, on the recommendation of the Dean of Law, the Director is appointed by the University to serve for an initial term of 3 years. The Director, as a member of the full-time law faculty, is expected to teach in the general Law School curriculum, with a 3 credit (1 semester/3 class hours a week) course release from a regular teaching load, in recognition of the administrative responsibilities associated with this position. The Associate Director, a new position, also operates under similar arrangement with a 2 credit course release. The Institute's Primary Researcher is expected to devote 50% of his time to research and to teach two courses in the MEL Institute specialty areas, with the teaching releases resulting from the Tier II Chair arrangements. The Administrative Assistant to the Institute is supported in part by the Tier II Chair funding, and provides administrative and secretarial support to the Chair, the administrative support for the Institute and secretarial support to the 7 full-time faculty members associated with Institute. The Associates of the Institute are all either full-time or part-time faculty members teaching particular courses in their area of expertise. The 5 Honorary Fellows of the Institute are non-teaching Associates who were affiliated with the founding of MELP and have retained a long-term relationship with the Programme through graduate supervision, projects and publications. The Institute's research projects are carried out through the employment of student researchers drawn from LLB, LLM and JSD programmes. This structure means that the Institute does not, at present, require additional core funding to support personnel and to operate as an Institute. However, if the Institute were to expand its research programme beyond the capacity of its current Associates, or take on longer-term large consultancy contracts, then additional funding, on a project-by-project basis, would be required in order to hire researchers that are not also members of the Law School's teaching faculty.

Facilities

From a strategic perspective, one of the biggest and, perhaps, the most important change brought about in the creation of the Institute was a MEL Institute "space". The Institute's new home can be found in a section of the fourth floor of the Weldon Law Building previously occupied by the library. This new space and some new furnishings hosts 5 faculty offices, an administrative office, 2 MEL Institute Visitor offices, the editorial office of the *Ocean Yearbook* and the Ocean Governance Research room. The latter, having been most recently completed, is equipped to support the work of 4 to 6 research assistants. These developments were financed by a Canadian Foundation for Innovation (CFI) award and other funds to match the Tier II Chair funding. Not all, but most of the full-time teaching faculty/Associates moved their Law School offices to the Institute. This proximity is an important part of the process of building the Institute's identity. This space now provides facilities for students engaged in MEL Institute research projects and houses the editorial office for an important international publication, the *Ocean Yearbook*, that is edited by the MEL Institute Associates. In addition, it has made it possible for the Institute to host various visiting scholars on sabbaticals or personnel from government and from non-governmental organizations.

Governance

Historically the MELP faculty adopted an informal "consultation and consensus" approach to decision-making with respect to the Programme, with the Director's role largely involving consultation, implementation and administration. This pattern has continued with the creation of the Institute: the three MEL Institute academic "staff", the Director, Associate Director and Primary Researcher, have developed initiatives and have made decisions together on most issues, often in consultation with the Associates through email or informal meetings. The Institute Associates and Honorary Fellows essentially function as an expert advisory body for the Institute on issues relating to the development

of policy or views on matters such as the choice of the name of the new Institute or the Institute's relationship with other entities on campus or the development of research directions. It was agreed that the Associate Director, would supervise the Institute's academic programme activities and function as the "Director" of the MELP course specialization. Decisions regarding the academic programme involve student members of a MELP Committee and address questions such course offerings, career development and prizes and the development of new areas and approaches to education such as an environmental clinic, and joint degrees.

Despite best efforts during the first year, scheduling of regular "formal" meetings proved difficult, due to the demanding schedules of most, if not all, involved parties. As a result, a new model has evolved wherein formal meetings are called when specific issues need to be addressed. In addition a distinction was drawn between MELP Committee (academic programme meetings) and Institute/Associate meetings to discuss operational questions. There were three Institute meetings between June 2004 and January 2005 to discuss issues raised in a survey of Associates (Appendix A). In addition to these issue specific meetings there was significant electronic and informal communication between Associates for opinions on various issues such as relationship to NGOs operating on campus.

Activities and Achievements

A substantial portion of the Director's work this year was devoted to a plethora of tasks relating to moving into a new space and creating and developing the Institute's identity as distinct from the MELP, as well as developing relationships both within the Institute, and establishing the financial and administrative relationships between the Law School and the Institute. A number of research projects, symposia, and other outreach activities were developed and carried out in this first year, in addition to the regular delivery of the MELP Law School courses. Some issues which seemed relatively straightforward proved to be surprisingly complicated. For example, reaching an agreement on the name of the Institute took more time than expected. Similarly, working with the University communications division to agree on terminology and a format for Institute documentation was complicated because of the adoption of the "branding" approach to identity-related materials. A significant amount of time was also devoted to working with the University administration, on a Committee established by the Vice-President Research to develop the relationship between the University and the International Ocean Institute - Canada as an interdisciplinary capacity building NGO on Dalhousie campus. Finally, it must be noted that the Institute had no operating funds as such, when it was created. Much of this year has involved working to develop a small operating fund for Institute activities and projects, as distinct from the various SSHRC and other "tied" funds that are managed by the Institute Secretariat in cooperation with the University Research Services.

Since June 2004, when the Institute held its first meeting, the Institute has:

- a name, the "Marine & Environmental Law Institute"
- a new institutional structure with Associates and 5 Honorary fellows and an extensive electronic mailing list, as well as a new list of "MELP" certificate alumni has been established
- the MEL Institute has developed a student recruitment document/brochure and other related communications materials
- a website (still under further development) <www.dal.ca/law/MELAW>
- sufficient funds to have an operating account and to develop an activities budget for 2005-2006
- hosted 7 international scholars
- hosted a Canadian government official (DFO) and researchers carrying out a special Fisheries research project

- hosted, at the request of the Canadian government, 3 Briefing sessions for European Journalists and a meeting with the European Commission (Commissioner for Fisheries and Oceans) and a meeting with staff of the Commission and a task force
- sponsored 3 public lectures
- organized and hosted a half-day symposium with the Company of Master Mariners of Canada
- made presentations on climate change and ocean governance issues in international, national and local fora
- obtained funding for and organized a one day workshop on Renewable Energy in the Maritimes
- engaged in public and alumni outreach through articles in the *Lawyers Weekly* (Appendix B) and other publications and carried out in cooperation with the ELSS, including a MELP alumni survey (Appendix C)
- Article on the new MEL Institute published in the *Hearsay* magazine (Appendix D)
- supported the *Ocean Yearbook* offices and editors and published Volumes 18 and 19
- carried out a joint project with the Marine Affairs Program (MAP) to provide policy advice to Transport Canada on Places of Refuge
- cooperated with the Lester Pearson Institute and other Dalhousie units in a CIDA funded capacity building and education research through a partnership with two Universities /Law Schools in Vietnam, Hue University of Sciences and Vietnam National University, and the University of the Philippines in the Visayas
- prepared a Strategic Brief to assist the work of the Department of Fisheries and Oceans, Advisory Panel on the Sustainable Management of Straddling Fish Stocks
- been awarded a major SSHRC grant (to the Primary Researcher and three Associates) to carry out a three-year research project on Regional Fisheries Management Arrangements
- co-operated with the International Ocean Institute - Canada to support the summer 2005 International Ocean Governance training course, through *inter alia* delivering lectures on climate change, ocean governance and flag state responsibility and maritime boundaries.
- supported the Marine Affairs Program (MAP) through involvement in its advisory body
- supported the development and adoption of a proposal for a joint LLM/MERM degree in cooperation with the School for Resource and Environmental Studies

This list highlights only some of the many activities of the Institute and its' Associates: details are set out in Parts 2-8, below.

Several Associates of the MEL Institute were also involved in activities and publications involving or relating to the Institute.

- *Canadian Environmental Protection Act and Commentary*, 2005 (Markham, Ont.: LexisNexis Butterworths, 2005) (edited by Meinhard Doelle)
- *Contributions to International Environmental Negotiation in the Mediterranean Context*, MEPIELAN Studies in International Environmental Law and Negotiation – 2 (Ant. N. Sakkoulas – Bruylant Publishers, Athens – Brussels, 2004) (edited by Evangelos Raftopoulos and Moira L. McConnell)
- *Ocean Yearbook*, Volume 18 (University of Chicago, Chicago: 2004) (edited by Aldo Chircop & Moira L. McConnell)

- *Ocean Yearbook*, Volume 19 (University of Chicago, Chicago: 2005) (edited by Aldo Chircop & Moira L. McConnell)
- *Places of Refuge: Preparing the Way Ahead for Canada*. Report to Transport Canada, October 2004. Joint project MAP and MEL Institute, Associates – David Henley, Robert Currie, Meinhard Doelle, and Moira McConnell with Richard Hodgson (MAP).

In addition, congratulations are in order to MEL Institute Associates Aldo Chircop and Hugh Kindred, and Honorary Fellow Edgar Gold for their publication, *Maritime Law in Canada* (Toronto: Irwin Law, 2003). It was awarded a prestigious national award, The Walter Owen Book Prize (2005) by the Foundation for Legal Research.

Finally the work of the Institute's one, very busy, administrative support person, Lauri MacDougall and the many law students working on research projects and publications and the Environmental Law Students' Society in this past year must be acknowledged and applauded.

Professor Moira L. McConnell, July 2005
Director, Marine & Environmental Law Institute

2. Marine & Environmental Law Institute Staff, Associates, and Honorary Fellows

Marine & Environmental Law Institute Staff

Director

Professor Moira L. McConnell has been a member of the Law School faculty since January 1989, during that time she has served as Co-director of Dalhousie University's Marine Affairs Program. She is a member of a number of organizations including: the International Commission of Jurists (Vice-President, (Atlantic) Canadian Council); World Conservation Union (IUCN) Commission on Environmental Law; the Canadian Maritime Law Association and Lawyers for social responsibility. Dr. McConnell's current teaching and research interests for teaching and research include; shipping, law of the sea, marine environmental protection, biosecurity, integrated coastal and ocean management, business and environmental law/management, public and corporate governance, regulatory design, dispute resolution processes, trade and environment and contract law. She is currently a special advisor to the International Labour Office (ILO) on the development of a new Maritime Labour Convention (2006). She is a Co-editor of the international interdisciplinary *Ocean Yearbook* and 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.

Associate Director

Assistant Professor Meinhard Doelle specializes in environmental law. He teaches Environmental Law I: Introduction to Environmental Law and Policy and Environmental Law II: Environmental Law as Regulatory, Political and Social Process. From 1996 to 2001, he served as the Executive Director of the Clean Nova Scotia, the mandate of which is to pursue an environmentally healthy and sustainable society in Nova Scotia. In the past, as a practicing Lawyer with the Atlantic firm Stewart McKelvey Stirling Scales, he was involved in prosecutions, issues of common law liability, environmental assessments, environmental audits, site assessments, and other areas relating to environmental law. He was the principal legislative drafter of the draft Nova Scotia Environment Act. Professor Doelle spent 18 months as a policy advisor with the Federal Environmental Assessment Review Office (FEARO) during the development and passage of the Canadian Environmental Assessment Act and regulations. Since 2000, he has served as an environmental non-governmental representative on the Canadian Delegation for negotiations under the United Nations Framework Convention on Climate Change. As well, he has been a member of the Editorial Advisory Board for *Canadian Environmental Regulation and Compliance News* since 1997. His doctoral dissertation research is in the field of climate change and he has written on a variety of topics in environmental law, invasive species, and environmental assessments.

Primary Researcher

Professor David VanderZwaag holds the Canada Research Chair (Tier 1) in Ocean Law and Governance and is the Primary Researcher for the MEL Institute. Dr. VanderZwaag's work involves: promoting global ocean governance; examining the effectiveness of regional agreements for managing fisheries and protecting the marine environment; and investigating implementation challenges raised by sustainable development and key principles, such as community-based management, indigenous rights, the precautionary approach, and ecosystem-based management. The primary aim of the research is to develop legislative and regulatory reforms for supporting more principled decision making in ocean governance. At Dalhousie University, Professor VanderZwaag also has cross-appointments with the School for Resource and Environmental Studies (SRES) and the International Development Studies (IDS) program. Dr. VanderZwaag teaches in the areas of international environmental law and law of the sea. He is the past Director of the Indonesian Environmental Law Programme at Dalhousie (1984-1989) and past Co-director of Dalhousie's interdisciplinary Marine Affairs Program (1986-1991). He is currently a member of the World Conservation Union's Commission on Environmental Law (CEL) and Chair of the CEL's Specialist Group on Ocean Law & Governance. He is a Co-founder and Co-chair of the Australian-Canadian Oceans Research Network (ACORN) and was Principal Investigator of the Aquaculture Law and Policy Project, "Towards Principled Access and Operations". He has acted as a consultant to various government departments including Environment Canada and the Department of Fisheries and Oceans, and is regional editor of *Canadian Environment Law*, 2nd ed. Dr. VanderZwaag has authored over forty papers in the ocean law and policy field. He is editor of *Canadian Ocean Law and Policy*, co-

editor of *Oceans Law and Policy in the Post-UNCED Era: Australian and Canadian Perspectives*, and author of *Canada and Marine Environmental Protection: Charting a Legal Course Towards Sustainable Development*. Professor VanderZwaag has had extensive research and lecturing experience in South and Southeast Asia, the South Pacific, Australia and the Caribbean.

Administrative Secretary

Ms. Lauri MacDougall joined the staff at Dalhousie Law School in 2002, after working a year for the Alumni & Development office, and following several years in the sales and advertising field. Her previous professional experience includes time at *Atlantic Progress*, a business magazine, where she was heavily involved in the coordination of a variety of events, ranging from receptions to conferences held out-of-province. Since becoming a part of the MEL Institute staff she has had a hand in several projects, including; the coordination of receptions, meetings and workshops hosted by the Institute; management of grants and contracts; providing assistance to visitors, and overseeing research students. Her current responsibilities include providing secretarial services to seven full-time faculty as well as serving as the administrative personnel to the body as a whole.

Marine & Environmental Law Institute Associates

Full-time Law Faculty

Associate Professor Aldo Chircop is a specialist in marine and environmental law and policy. His work experience has included directorships of the International Ocean Institute and the Mediterranean Institute in Malta, as well as a brief term with the United Nations Industrial Development Organization in Vienna. While in Malta, Dr. Chircop was also a member of that country's delegation to the Preparatory Commission for the Law of the Sea. His continuing professional affiliations include Canadian Maritime Law Association, the Marine Affairs and Policy Association and the International Centre for Coastal and Ocean Policy Studies. Dr. Chircop also has extensive development experience in his areas of expertise in Southeast Asia, Caribbean, Mediterranean and South Pacific. This work has included training workshops in the law of the sea, maritime boundary delimitation in several countries, integrated coastal management, and fisheries law. He has published widely in collective works and periodicals and most recently co-authored a book *Maritime Law* (2003). He is also Co-editor of the *Ocean Yearbook* and on the editorial board of the *Ocean and Coastal Management Journal* and *WMU Journal of Maritime Affairs*. Dr. Chircop is also counsel to Patterson Palmer Law in Halifax. In 2004-2005 Dr. Chircop was on a leave of absence to carry out an appointment as the Canadian Chair in Marine Environment Protection at the World Maritime University in Malmö, Sweden.

Assistant Professor Robert Currie is formerly a civil litigator with McInnes Cooper (Halifax), Member of the Nova Scotia Barristers' Society, Canadian Bar Association, Society of Composers, Authors and Music Publishers of Canada (SOCAN). His research interests include international environmental law, marine law, international criminal law and international relations.

Professor Hugh M. Kindred teaches in the areas of marine transportation, commercial law and international law. During leave from Dalhousie in 1985-1986 he was a Senior Legal Officer in the Shipping Division of the United Nations Conference on Trade and Development. He has advised governments and other public bodies regarding maritime legislation and international law, and he has been a research associate of the Dalhousie Ocean Studies Programme, the Canadian Marine Transportation Centre, and the Oceans Institute of Canada. He is a member of the Canadian Maritime Law Association and past chair of its Carriage Documentation Committee. He is also a member of the Board of the Canadian Council on International Law and of the Editorial Board of the *Canadian Yearbook of International Law*. Professor Kindred was the project coordinator and co-author of the 1982 Study for Transport Canada on *The Future of Canadian Carriage of Goods by Water Law* and subsequently assisted the Department in the preparation of the Carriage of Goods by Water Act 1993. He is also the general editor and co-author (with 6 colleagues) of *International Law Chiefly as Interpreted and Applied in Canada*, which is now in its sixth edition and is supported by a website. Among his other publications in maritime, commercial and international law is a volume he co-authored in 1990 with Max Ganado on Marine Cargo Delays, another written in 1997, with Dr. Mary Brooks, of the School of Business Administration at Dalhousie, on Multimodal Transport Rules, and a book published January 2004, *Maritime Law* with Edgar Gold and Aldo Chircop.

Assistant Professor Constance MacIntosh has been Assistant Professor of Law, Dalhousie University since 2002. Prior to joining the faculty at Dalhousie she was an Associate lawyer at Mandell Pinder, a boutique firm which specializes in First Nation rights and resource management, from 2000-2002. From 1999 to 2000 she articulated at Faskens following her LLB from Osgoode Law School where she was the Class Gold Medalist in 1999. Presently she serves as an advisor to the Task Force on Newcomer Access to Health Care in Nova Scotia. Professor MacIntosh's research interests include first nations law and immigration.

Associate Professor & Dean of Law (until 1 July 2005) Dawn A. Russell practiced law in Halifax for five years with the leading Atlantic law firm of Stewart McKelvey Stirling Scales before beginning her career as a law teacher in 1987. She has taught in the areas of International Law, Law of the Sea and Ocean Law and Policy. Her research has focused on international and comparative oceans law and policy, particularly on topics such as domestic fisheries management, the role of international fisheries organizations, high seas fishing of straddling stocks, and maritime boundary delimitation. Professor Russell is on the Editorial Advisory Board of *International Insights* and of the *Ocean Yearbook*. She is a member of the Executive Board of the Canadian Council on International Law and of the Board of Directors of the Canadian Institute of Resources Law.

Associate Professor Phillip M. Saunders & Dean of Law (as of 1 July 2005) is cross-appointed to School for Resource and Environmental Studies. Acting Dean, 2000-2002 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. He co-authored a study on policy options for straddling stocks on the Grand Banks for the Newfoundland and Labrador "*Royal Commission on Renewing and Strengthening our Place in Canada.*"

Part-time Law Faculty

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 serves as Finance Critic for the opposition. 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 (1995-1997) in addition to Land Use Planning within MELP at Dalhousie University.

Dufferin (Duff) Harper is a partner in the law firm of Wickwire Holm, located in Halifax, Nova Scotia. He holds a Bachelor of Science Degree in Marine Biology and a Masters of Science Degree from Dalhousie University. His Master's thesis was in the area of environmental toxicology. He also holds a Bachelor of Laws Degree from the University of New Brunswick, having graduated with distinction in 1991. He was admitted to the Bar in Nova Scotia in 1992. He is a past chair of both the Nova Scotia and National Environmental Law Section of the Canadian Bar Association ("CBA"). He is currently a member of the Board of Director's of the Association for Professional Environmental Auditing. Duff Harper is the head of Wickwire Holm's Environmental Law Group, and his practice is divided between advocacy issues and land use issues. He also practices in the areas of commercial, civil litigation, and energy and natural resources and has represented clients before all Courts and various tribunals in Nova Scotia. He is a frequent presenter at environmental law-related conferences and seminars throughout Canada and has thrice served as co-chair of CBA National environmental law conferences.

David G. Henley practices in the area of Marine, Litigation, Environmental, Energy and Natural Resources and Construction. He is a member of the Canadian Bar Association and the Nova Scotia Barristers' Society. He is Vice-Chair, Environmental Law Section, Canadian Bar Association, Nova Scotia, a member of the Canadian Maritime Law Association, Association of Maritime Arbitrators of Canada and the Royal Canadian Artillery Association. He is also a Lieutenant-Colonel, Canadian Armed Forces Reserves Commanding Officer, 1st

(Halifax-Dartmouth) Field Artillery Regiment. His research interests are in the fields of maritime law and policy and fisheries.

A. William Moreira is a partner in the Halifax office of Stewart McKelvey Stirling Scales. He has practiced for more than 20 years in Admiralty and commercial litigation, public law litigation and energy regulatory law, representing industry, government and regulators' interests in the marine transportation, fishing and petroleum industries throughout Atlantic Canada, and appearing before all levels of court in Nova Scotia, the Federal Court of Canada, the Supreme Court of Canada, the National Energy Board and the Nova Scotia Utilities and Review Board. He has written and presented papers on a variety of subjects at industry and CLE seminars in Canada and the United States, and at judicial education seminars of the Federal Court. Will is the President of the Canadian Maritime Law Association, former Chair of the Canadian Bar Association's national maritime law section, a titular member of Comité Maritime International, and Chair of the Maritime and Energy Law Committee of the International Association of Defense Counsel. He is past Chair of the Board of the Mission to Seafarers in Halifax. He has taught the Fisheries Law course for many years and is a frequent guest lecturer in the maritime law course.

Van Penick is a partner in the Atlantic Canada law firm of McInnes Cooper and chair of its Energy Group. He is a member of both the Nova Scotia (1977) and Newfoundland (1992) Bars. He has been involved in hydrocarbon development on eastern Canada's continental shelf ever since initial discoveries were announced in 1979. He drafted the Nova Scotia Petroleum Resources Act and assisted in evaluating Nova Scotia's claim to the offshore area. He has acted for PanCanadian Petroleum Limited, the operator of the Cohasset-Panuke oil field, for the Province of Nova Scotia in its disposition of the Crown Corporation Nova Scotia Resources Limited, for Hunt Oil in connection with its interests off the west coast of Newfoundland, and for both the Canada-Nova Scotia and the Canada-Newfoundland Offshore Petroleum Boards. He acted for several Nova Scotian large industrial consumers of power in the environmental assessment hearings into the Sable Gas project and for the Province of Nova Scotia in connection with the preparation of regulations under the Gas Distribution Act. Mr. Penick is a director of the Canadian Petroleum Law Foundation and has published articles about offshore resources rights, security interests in the offshore area, labour relations offshore Newfoundland, administering rights offshore British Columbia and the regulatory process for approving offshore projects, and he has been involved in MELP since 1982 in the teaching of Oil and Gas Law at Dalhousie Law School.

Alan Ruffman is a marine geologist and geophysicist who has mapped the offshore of eastern Canada for some 30 years. He is President of the consulting firm Geomarine Associates Ltd. in Halifax. In addition to serving on community Planning Committees for a number of years, his community involvement over 30 years has regularly touched on planning issues, whether it concerned the Halifax Harbour Cleanup, where he served on the Fournier Task Force, the Harbour Solutions Task Force, and coordinated the Metro Coalition for Harbour Cleanup, Inc., or whether it has concerned the use of Nova Scotia's wilderness areas or its coastline areas. He is a charter member of the Ecology Action Centre. 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 US across the Maritime Provinces. He is an Honourary Research Associate at Dalhousie University's Department of Earth Sciences, and is a registered Professional Geoscientist (P.Geo.). Allan Ruffman and Howard Epstein co-teach the Land Use Planning course within MELP at Dalhousie Law School.

Professor Emeritus Gilbert Winham teaches and conducts research on international political economy, and specializes in international trade policy. Dr. Winham is a Professor Emeritus of Political Science at Dalhousie, 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 teaches the international trade law course that is recognized under the MELP. Dr. Winham's recent publications include: "International regime conflict in trade and environment: the Biosafety Protocol and The WTO" *World Trade Review*, Volume 2:2 (2003); "The Role of NAFTA Dispute Settlement in the Management of Canadian, Mexican and U.S. Trade and Investment Relations" (with Gustavo Vega), *Ohio Northern University Law Review*, Volume 28:3 (2002); "The Performance of the WTO Since 1995", *Transactions of the Royal Society of Canada*, Series 6, Vol. 11 (2001); "Institutional Development of the WTO" (with Anna

Lanoszka) in Alan Rugman and Gavin Boyd (eds.), *The World Trade Organization in the New Economy: Trade and Investment Issues in the Millennium Round*, (Cheltenham, UK: Edward Elgar, 2001). Dr. Winham most recently published a paper, "The Debate over Genetically Modified Foods: Implications for International Relations."

Marine & Environmental Law Institute Honorary Fellows

Brian Flemming, C.M., Q.C., 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 and Scales (formerly Stewart, MacKeen and Covert), where he practised law from 1964 to 1976, and again from 1979 to 1984 when he left the firm to pursue private business interests and to perform public service.

In addition to his law practice, teaching, and public service he has served as a Director of significant Canadian Broadcasting Corporation and developed a career as columnist and political commentator. Mr. Flemming was one of the teachers in the MELP when it began in the 1970s. In addition to practising law, from 1964 to 1976, 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 and Policy at Dalhousie Law School and was the first person to offer advanced courses in public international law at Dalhousie. For many years, 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.

Mr. Flemming has held numerous high-profile appointments in the Canadian government throughout his career. He was the Vice Chair of the Canada Council (now the Canada Council for the Arts and the Social Science and Humanities Research Council). He was acting chair of the Council for close to two years and was a member for five years prior to that. He has been a director of the Canadian Broadcasting Corporation. He is, or has also been, a member of the national boards of the following organizations: the Institute for Research on Public Policy (IRPP), the Canadian Institute of International Affairs (CIIA), the Canadian Institute for Advanced Research (CIAR) and the International Oceans Institute of Canada (IOIC).

Internationally, Mr. Flemming was a member of the Trilateral Commission for two years. He has led, or been part of, many Canadian delegations to international conferences and meetings including the Third United Nations Law of the Sea Conference (UNCLOSIII). He was founding chair of the International Centre for Ocean Development (ICOD), a Canadian government supported NGO designed to help less developed countries manage their oceanic exclusive economic zones, which eventually became a Crown Corporation.

Professor Edgar Gold, C.M., A.M., Q.C., 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 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 Programme (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 Programme (MAP). He is also a 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, and remains a member of the Institute. He was a member of the Canada-Nova Scotia Offshore Petroleum Board 1996-2003. He is also an Adjunct Professor of Maritime Law and former Canadian Member of the Board of Governors of the World Maritime University, Malmö, Sweden, and a member of the Governing Board of the IMO-International Maritime Law Institute, Malta. Since 2000 he also holds an appointment as Adjunct Professor at the T.C. Beirne School of Law, University of Queensland, Brisbane, Australia, where is

involved with the University's Centre for Maritime Law. 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 an honorary degree from the Canadian Coast Guard College (1992) and was awarded the Commander's Cross of the Order of Merit by the German Government, the Order of Canada by the Canadian Government, in 1997, and in June 2005 he was awarded the Order of Australia (AM) for "services to maritime law and protection of the environment as a policy developer and adviser, and through academic roles and involvement in international maritime organisations."

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 Dept. 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 is an Officer of the Order of Canada.

Professor Emeritus Douglas M. Johnston, a Professor Emeritus at the University of Victoria, and Adjunct Professor at Dalhousie Law School, was the founding Director of MELP, co-founder of Dalhousie's Oceans Studies Programme (DOSP) and the Southeast Asian Programme in Ocean Law, Policy and Management (SEAPOL). Professor Johnston was formerly North American governor of the International Council on Environmental Law and a member of the Board of the Law of the Sea Institute (LSI). He is author or editor of numerous works in the field of international law and policy, with special emphasis on fisheries, marine pollution, ocean boundary-making and treaty-making. Between 1987 and 1995, he held the Chair in Asia-Pacific Legal Relations at the University of Victoria. After his retirement from the University of Victoria, he held teaching and administrative positions at the National University of Singapore before his return to Canada in 1999. Currently, he is active as Programme Coordinator of the Maritime Awards Society of Canada (MASC), and he continues as Programme Director of SEAPOL

Professor Emeritus Christian L. Wiktor & Former Law Librarian is a Professor Emeritus of Dalhousie Law School. He was the Chief Librarian of the Sir James Dunn Law Library 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, 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 a new publication, Multilateral Treaty Calendar 1648-1995, published by Nijhoff in April of 1998. 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. In 1980, he initiated the Marine Affairs Bibliography, a current comprehensive index of marine law and policy literature, co-edited now with the University of Virginia Law Library, where it is published. Professor Wiktor was also an Associate of the Oceans Institute of Canada.

3. Teaching: Marine & Environmental Law Programme (MELP)

(Report by the Programme Director, Meinhard Doelle, Associate Director, MEL Institute)

General

The MELP academic specialization including 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 has, and will continue to, serve as the Director of the MELP Programme, and will focus 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 in the registration process is that the forms returned indicated that the majority of students are interested in the Environmental Law Specialization. In the 2004-2005 academic year (fall and spring convocations), two students were awarded a Marine Law Specialization and ten students the Environmental Law Specialization with no students this year receiving both certificates.

The MELP specialization, although not always in the form of certificate programme, has been in place at Dalhousie for 30 years. It remains a distinguishing feature of Dalhousie Law School in attracting LL.B. and LL.M. /J.S.D. students. While not every inquiry has been tracked, numerous email, phone and in-person inquiries, usually related to admission to the LL.B. or LL.M., are regularly fielded by the MELP Director, the Administrative Assistant or other MELP faculty.

The MELP brochures and website were revised and updated in 2004 -2005 to reflect changes in teaching faculty, regulations and courses. In 2004-2005 the following MELP courses were offered:

Business and Environmental Law (D. Harper)
Environmental Law I (M. Doelle)
Environmental Law II (M. Doelle)
Fisheries Law (D. Henley)
International Environmental Law (D. VanderZwaag)
Law of the Sea (D. VanderZwaag)
Maritime Law and Practice (Maritime I) (M. McConnell)
Ocean Law and Policy (P. Saunders)
Oil and Gas Law (V. Penick)
Planning Law (H. Epstein/A. Ruffman)

The following MELP courses were not staffed:

Coastal Zone Management
International Trade Transactions
Marine Environmental Protection Law
Maritime Law and Policy (Carriage of Goods)

In addition, the Animal Law (V. Black), First Nations Law course (C. MacIntosh) and the International Trade Law course (G. Winham), although not designated as "MELP", have been recognized on a discretionary basis as one of the certificate electives in cases where a student's paper is on a topic relevant to the specialization.

MELP Certificate Issues

Some areas that have been identified as in need of attention include the fact that the maritime law (private law) offerings have decreased and a number of MELP courses have not been staffed for several years although they remain “on the books”. A review of the substantive content and linkages between the MELP offerings is also likely to take place and may result in proposals to the Academic Planning Committee. The following are a few specific issues that have arisen over the past year that deserve some further consideration:

- Students have questioned our policy not to accept credits from other law schools for MELP certificate purposes, especially when students transfer for third year or participate in an exchange.
- Accepting credits from pre-law education has also been an issue with some students, especially where students have taken MELP courses for credit in other graduate programmes (such as Marine Affairs) before starting the LLB.
- Further consideration will be given to reviewing curriculum, including but not limited to the following:
 - A critical look at our existing courses, enrolment, and how they contribute to the marine and environmental law specializations
 - There has been some discussion of, and interest in, considering an energy law course and/or a natural resources course as part of the MELP course offerings, with possible links to the Business Law Programme
 - Co-listing Maritime Law I with Business Law has been raised

Graduate Supervision

In 2004-2005 MELP faculty were involved in supervision and mentoring of a number of LL.M. and J.S.D. students carrying out research in topics relevant to MELP. A J.S.D. student, Jay Batongbacal is one of the first winners of the prestigious Trudeau Foundation Doctoral Scholarship. MELP faculty also assisted with graduate supervision in the M.M.A. & M.E.S. programmes and with the supervision of a student at Memorial University.

Awards/Scholarships

An environmental law book prize was also developed through the efforts of the Associate Dean; a donation of \$250 from LexisNexis Canada was awarded to Stephen Lockwood, a 2nd year student for the highest mark in Environmental Law I. The Charles Edward Foley Prize went to Bob Miedema. The Donald A. Kerr Memorial Prize was awarded to Lyndsey Jardine, and the Elizabeth May Award went to Tricia Warrender this year. The annual CMLA \$1,000 graduate scholarship was awarded to an LL.M. candidate, Rose Cadogan. Three LL.M. students were funded for the CIDA Marine Law LL.M. Scholarship of over \$20,000, Kissi Agyebeng, Lowell Bautista, and Maaz Shareef. Tewelde Weldu received the Canadian International Development Agency (CIDA) funding scholarship that was carried over from the previous year to the 2004/05 year.

Joint MREM/LLB

Prompted by student interest, we explored the possibility of establishing a joint degree programme with the School for Resource and Environmental Studies (SRES), based on similar joint programmes offered with other faculties at Dalhousie. The Marine & Environmental Law Programme therefore approached the School of Resource and Environmental Studies (SRES) at Dalhousie to consider a joint degree programme involving our LLB programme and the Masters of Resource and Environmental Management (MREM) programme at SRES. The starting point for the discussions was that the joint programme would be similar to those previously developed with the MBA programme, library studies, and others. The issue was discussed by MELP faculty and with the

Dean. Professor Moira McConnell was asked to pursue the possibility on behalf of the law school with the Director of SRES, Karen Beazley.

The result of those discussions, which included Meinhard Doelle from the law school and Karen Beazley and Peter Tyedmers from SRES, resulted in an agreement on the proposed terms of a joint programme. We all agreed that the proposal would provide for the best opportunity to provide students interested in environmental issues from a legal and management perspective an integrated educational experience. It is our understanding that SRES is taking the necessary steps to seek formal approval for this proposal. Within the law school, the proposal was taken to faculty council by the Academic Committee, and approved at the April 2005 faculty council meeting. We hope to be able to offer this programme to our incoming first year class this fall.

Proposal for an Environmental Law and Policy Service (ELPS)

The Environmental Law Student Society (ELSS) has expressed an interest over the past few years in the idea of an environmental law clinic or a similar structure to provide an opportunity to work on environmental law cases. In response, the Environmental Law II course was offered as a student placement programme from 1997 to 2001. Since then, there has been continuing interest in practical experience for credit. The Law School's pro-bono programme currently provides some opportunities for practical experience in environmental law, but not on a for credit basis. In response, a proposal for the ELPS was prepared and submitted to SSHRC under the CURA community collaboration category. We were unsuccessful, but are pursuing other funding sources and will consider reapplying this fall. Other possible funding sources include foundations, the Canadian Environmental Assessment Agency, and the province of Nova Scotia.

The two primary objectives of the ELPS initiative are to enhance the environmental law curriculum at the Law School and to enhance the capacity in environmental law and policy within the broader community. In the process, this initiative would provide an invaluable new teaching tool to the Marine & Environmental Law Programme at Dalhousie Law School, offer opportunities for collaboration within the University Community, enhance the employability of graduates with an interest in environmental law, and build capacity within community organizations throughout Nova Scotia and beyond.

Environmental Law Students Society (ELSS)

It has been a busy year for the Environmental Law Students Society. While managing to move along several long-term projects, such as the potential for hosting or attending an environmental moot, the society had a productive year on shorter term projects as well. One highlight is the first ever survey of Dalhousie Law Students opinions towards the environmental courses and the MELP programme. The ELSS also organized a successful fundraising event in support of Mangrove Forest Rehabilitation in the wake of the Tsunami in South-East Asia. The hosting of an Alternative Career Night, with a focus on Environmental Law, was another success as our panel brought encouragement to those students wishing to pursue a career outside of the mainstream. Finally, there was the development a student based initiative to give legal advice to local NGOs with questions or concerns relating to law. This program will be running this fall. The ELSS also co-sponsored a public lecture, "Waterkeepers: Bringing Meaning and Force to Environmental Law in Canada" with the MEL Institute in December 2004.

4. Research Projects and Contract Research and Grants

4.1 Research Projects managed by the MEL Institute

Project	status
Relationships in Transition – Canada's Marine Species at Risk: Science & Law at the Helm but a Sea of Uncertainty, one year project ending September 2005. Law Commission of Canada (David VanderZwaag)	ongoing
SSHRC Strengthening Canada's Regional Fisheries Management Arrangements in Light of Sustainability Principles, three year project started April 2005 and ending March 2008 (David VanderZwaag, Moira McConnell, Dawn Russell & Phillip Saunders)	ongoing
Ocean Management Research Network (OMRN) Sustainable Energy Development Workshop (held May 2005) – SSHRC Funding (Meinhard Doelle, Moira McConnell & Phillip Saunders)	June 2004 – June 2005
Principles in Practice - CIDA Tier II– Partnership Project with Vietnam and the Philippines (David VanderZwaag, Team Leader; Associates and Law Faculty, David Blaikie , Aldo Chircop, Meinhard Doelle, Diana Ginn, Moira McConnell, and Jay Batongbacal, JSD Candidate)	2004-2009
Australian – Canadian Oceans Research Network (ACORN) (book at press – Routledge Press) (David VanderZwaag, Principal Investigator; Associates, Law Faculty and other Dalhousie University Faculty, Marian Binkley, Aldo Chircop, Keith Evans, Diana Ginn, Bruce Hatcher, Larry Hildebrand, Douglas Johnston, Hugh Kindred, Dawn Russell, and Phillip Saunders)	finished
AquaNet Law & Policy Project, workshop in 2004, (book at press - Routledge Press) (David VanderZwaag, Principal Investigator; Associates and Law Faculty, Patricia Doyle-Bedwell, Aldo Chircop, Richard Devlin, Diana Ginn, Moira McConnell, Douglas Moodie, RONALDA MURPHY, Phillip Saunders and Fay Woodman, assisted by numerous Dalhousie Law Students)	finished

4.2 Contracts

Project	status
Transport Canada: Places of Refuge – Preparing the Way Ahead for Canada. In cooperation with Marine Affairs Program. This project involved Associates Robert Currie, Meinhard Doelle, David Henley, Hugh Kindred, and Moira McConnell, assisted by Stephen Lockwood, LL.B. student	finished October 2004
Department of Fisheries and Ocean – Strategic Brief prepared for the Minister's Advisory Panel on the Sustainable Management of Straddling Stocks in the Northwest Atlantic. This project involved Associates Moira McConnell, Phillip Saunders, and David VanderZwaag, assisted by Jay Batongbacal, JSD candidate and Scott Gordon, LL.B. student	finished May 2005

4.3 Grants

Project	status
Ocean Yearbook – editorial offices (Associates, Aldo Chircop and Moira McConnell)	ongoing

5. Institute Publications

* NB: The Associates of the Institute also had numerous publications which were not necessarily affiliated with the Institute. This is a list of publications affiliated with the institute.

1. **Aldo Chircop** and **Moira L. McConnell**, eds., *Ocean Yearbook*, Volume 18: (Chicago: University of Chicago Press, 2004).
2. **Aldo Chircop** and **Moira L. McConnell**, eds., *Ocean Yearbook*, Volume 19: (Chicago: University of Chicago Press, 2005).
3. Evangelos Raftopoulos and **Moira L. McConnell**, eds., *Contributions to International Environmental Negotiation in the Mediterranean Context*, MEPIELAN Studies in International Environmental Law and Negotiation – 2 (Ant. N. Sakkoulas – Bruylant Publishers, Athens – Brussels, 2004).
4. **Meinhard Doelle**, “*Canadian Environmental Protection Act and Commentary*” (Lexis Nexis, Butterworths, 2005).
5. **Moira L. McConnell**, book review of Brian Jones and Neil Parpworth, *Environmental Liabilities* (2004), 15 *Journal of Environmental Law & Practice*, 219.
6. **David L. VanderZwaag** and Jeffrey A. Hutchings, “Canada’s Marine Species at Risk: Science and Law at the Helm, but a Sea of Uncertainties” (2005) 36(3) *Ocean Development & International Law*, 219.
7. **David L. VanderZwaag**, “Arctic Regional Cooperation” (2003) 14 *Yearbook of International Environmental Law*, 347.
8. **David L. VanderZwaag**, book review of Daniel Pauly and Jay Maclean, *In a Perfect Ocean: The State of Fisheries and Ecosystems in the North Atlantic Ocean*, (2004) XVI *International Journal of Maritime History*, 236.
9. Donald Rothwell and **David L. VanderZwaag**, “Australian and Canadian Perspectives on Offshore Management” (2003) 26(1) *Dalhousie Law Journal*, 1.

6. Marine & Environmental Law Institute Visitors

- Dr. Douglas Johnston, Professor Emeritus, University of Victoria
September 2004
- Professor Joseph Loot and Professor Carlos Baylon, University of Philippines in the Visayas; Dr. Nguyen Ngoc Chi, Dr. Nguyen Ba Dien, Nguy Cuu Duc Binh, and Dr. Hoang Ngoc Giao, Vietnam National University; Tran Viet Dung, Hue University of Sciences (Vietnam)
September to October 2004
- Ms. Charlotte Breide, Legal Advisor, World Wildlife Fund
September to October 2004; and January 2005

- Ms. Evelyne Meltzer, Chief, Marine Policy Division, Policy and Economics Branch, and Acting Regional Director, Policy and Economics of the Department of Fisheries and Oceans Canada, Maritimes Region in Halifax; Independent Research Project, along with a researcher team.
September 2004 to September 2005
- Professor Elizabeth Kirk, Senior Lecturer, University of Dundee
November to December 2004
- Professor Bernard Oxman, Director of Coastal Law Programme, University of Miami
April 15, 2005
- UN Nippon Fellow, Ms. Miriam Sara Repetto, Peru, Legal Adviser in International Maritime Affairs, General Directorate of Captancies and Coast Guard.
May to November 2005
- Ms. Marta Lang, Government of New Zealand, New Zealand
June 15-23, 2005
- Professor Guo Yuan, Assistant Professor and Deputy Director of Institute of the Law of the Sea, Ocean University of China
June 20-24, 2005

7. Symposiums/Conferences/Public Presentations

“Principles in Practice Workshop”

Academics from the University of the Philippines in the Visayas, Vietnam National University (Law) and Hue University of Sciences (Vietnam)
September 27 to October 1, 2004

“Security and Environment Concerns and the Criminalisation of Seafarers”

Co-sponsored with the Company of Master Mariners of Canada, Moira L. McConnell was an organizer and a presenter.
November 13, 2004

Public Lecture “Waterkeepers: Bringing Meaning and Force to Environmental Law in Canada”

Mark Mattson, Canadian Waterkeeper Alliance President & Environmental Lawyer
December 6, 2004
Co-sponsored with ELSS

Public Lecture - “Creating a Positive Future for Fisheries Worldwide”

Speakers: **Patrick Christie**, University of Washington, Seattle, **Daniel Pauly**, University of British Columbia, Vancouver, **Rashid Sumaila**, University of British Columbia, Vancouver, and **Kees Zwanenburg**, Bedford Institute of Oceanography, Dartmouth, Chaired by Evelyne Meltzer
January 14, 2005
Co-hosted with International Ocean Institute – Canada, Marine Affairs Program, and AQUALINK, through support from Research Development Initiative, SSHRC.

Roundtable European Media Sessions at the request of Foreign Affairs Canada

Global Fisheries Governance (overfishing); Journalists from Iceland, Denmark & United Kingdom

Elisa Kaltcheva, Foreign Affairs Canada - Europe Branch (REB), Program Coordinator; **Skapti Hallgrímsson**, *Mourgunbladið*, from Iceland; **Jesper Olesen**, *Morgenavisen Jyllands-Posten* and **Steen Ancher Andersen**, *Midtjyllands Avis*, from Denmark; and **Ian Strutt**, *Fishing News International*, from United Kingdom

March 1, 2005

Roundtable European Media Sessions at the request of Foreign Affairs Canada (Planned)

Global Fisheries Governance (over fishing); Journalists from France

Ashleigh C. Searle, Program Coordinator, Ambassade du Canada - Canadian Embassy; **Normand Smith**, Spokesperson, Canadian Embassy in France; **Jean Le Borgne** reporter, *Le Télégramme* (Brittany); **Isabelle Brisson**, Science and Health, *Le Figaro*; **Bruno Côté**, assistant science editor, *l'Express*; **Hélène David**, photographer, *Sciences et Vie*; and **Hélène Petit**, *Sciences et Vie*.

March 10, 2005 - *MEETING CANCELLED, ON THE DAY, DUE TO FLIGHT DELAYS*

Roundtable European Media Sessions at the request of Foreign Affairs Canada

Global Fisheries Governance (over fishing); Journalists from Europe

Attendees: **José Manuel Rocha Moreira** journalist and editor of *PÚBLICO*; **Eva Maria Dias de Brito Cabral** journalist for *Diário de Notícias*, (Portugal); **Elena Benedetti** journalist for *IL PESCE*; **Barbara Cilenti** for *CORRIERE DELLA SERA*, (Italy); and **Manuela Sío** journalist for *La voz de Galicia*; **Isabel Cabaleiro** journalist for *Industrias Pesqueras*, (Spain).

March 16, 2005

Meeting with Directorate-General for Fisheries and Maritime Affairs of the European Commission

Attendees: Commissioner J. Borg, Michael Köhler, Mireille Thom, and Gaël de Rotalier, European Commission; Sylvie Lapointe, Head of International Relations; Ambassador Eric Hayes and G. Frederick Kingston, European Union; and Esben Olsen Ritzav, Danish News

May 3, 2005 at 5:00pm (Dawn Russell & Moira McConnell)

“NACLE Curriculum Development Workshop“

Comparing North America’s Legal Regimes: Similarities and Differences, Cooperation and Conflict. Meinhard Doelle organized and chaired an Energy Panel. David VanderZwaag was a key organizer. *Sponsored by the North American Consortium on Legal Education, and by the Dalhousie Law School.*

May 18 to 20, 2005

“Renewable Energy Workshop”

Renewable Energy Promotion Atlantic Canada: Overview of renewable energy law and policy options for Atlantic Canada

Co-sponsored by the Ocean Management Research Network; other supporters include the David Suzuki Foundation, Pollution Probe, Ecology Action Centre and the School for Resource and Environmental Studies.

May 19 to 20, 2005

Roundtable Session on Maritime Affairs – Developing an EU Ocean Policy

Meeting with the European Commission Maritime Policy Task Force and Canadian NGOs, Dr. John Richardson, Head of Maritime Policy Task Force, Nathalie Hesketh, Stagière (European Commission), Susanna Fuller, Ecology Action Centre, Robert Rangeley, WWF Canada, Gregory Peacock, DFO-Maritime Region and Robert Jones, DFO-Ottawa

June 10, 2005

Meeting with Louis Simard, Head of Oceans, Department of Foreign Affairs

June 13, 2005

8. University Collaboration and Public Outreach/Presentations

“30 year legacy behind Dalhousie’s Marine & Environmental Law Institute”, the *Lawyers Weekly*, (M. McConnell), published January 21, 2005 (see appendix B)

“The Marine & Environmental Law Programme and the new Marine & Environmental Institute celebrate three decades of teaching and research excellence” *Hearsay* (M. McConnell), published June 2005

“Is the Kyoto Compliance System up to the Challenge” presented at faculty seminar on Compliance with the Kyoto Protocol October 8, 2004 (Meinhard Doelle)

“Kyoto Implementation in Canada, a Snapshot as Kyoto Comes Into Force” CBA Presentation on Kyoto and Climate Change February 15, 2005 (Meinhard Doelle)

“Environmental Liability in Nova Scotia Schools” presentation to Nova Scotia School Board representatives on environmental liability February 3, 2005 (Meinhard Doelle)

“Looking Beyond Kyoto, Adequacy, Equity and Reality” presented at a conference on climate change post 2012 at University of Toronto in Toronto February 26, 2005 (Meinhard Doelle)

“Climate Change and the Law of the Sea” IOI-Canada Summer Training Programme, June, 2005 (Meinhard Doelle)

“Flag State Responsibilities and the Law of the Sea” IOI-Canada Summer Training Programme, June, 2005 (Maira McConnell). Maira McConnell and David VanderZwaag were also module leaders for the Law of the Sea week

“Ocean Governance: Dreams and Screams” (speech) IOI-Canada Summer Training Programme, June, 2005 (David VanderZwaag)

“Maritime Boundary Delimitation” (lecture) IOI-Canada Summer Training Programme, June, 2005 (Phillip Saunders)

“Comments on International Law aspect of Canadian’s Ocean Action Plan” (presentation) Oceans Day forum, Putting the Action into the Oceans Action Plan, June 8, 2005, sponsored by OMRN, EAC and Atlantic Coastal Zone Information Steering Committee (Maira McConnell)