

GEORGE H. de BERDT ROMILLY

General: Born 20th August 1955 in Colchester, England. Canadian Citizen. British Citizen. Married. 2 children

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Education: 1991 - 1992. Dalhousie University, Halifax, Canada: Masters Degree (LL.M.) in Marine and Environment Law, with honours standing in International Environmental Law, Maritime Law, and Oil and Gas Law. Awarded Graduate Studies Scholarship by Dalhousie University.

1974 - 1980. University of Rhodesia, Harare, Zimbabwe: Bachelor of Law (B.L.), and Bachelor of Laws (LL.B.) degrees. Undertaken on part-time basis whilst in the full time employment of the Ministry of Justice, Zimbabwe. Awarded full Ministry of Justice bursary for six consecutive years.

1979 - 1980. Passed Bar Entrance Examination and Magistrates Admission Examination and admitted as an Advocate of the Supreme Court of Zimbabwe.

Professional

Affiliations:

- ▶ Member, Roster of Experts (Climate Change) appointed by the Scientific and Technical Advisory Panel (STAP) of the Global Environment Facility (GEF).
- ▶ Member, Roster of Experts (Climate Change Adaptation) established by the Australia Agency for International Development (AusAUD).
- ▶ Member, Roster of Legal Experts on Biosafety (Latin America and Caribbean), appointed by the United Nations Environment Programme (UNEP).
- ▶ Elected member of the International Council of Environmental Law (ICEL) (based at the Environmental Law Centre of the World Conservation Union (IUCN) in Bonn, Germany).
- ▶ Member of the Canadian Bar Association (CBA).
- ▶ Advocate of the Supreme Court of Zimbabwe.
- ▶ Chartered Mediator (Environmental) accredited by the Arbitration and Mediation Institute of Canada (AMIC) - Chair of the Accreditation and Training Committee (Regional) (1996-2002).
- ▶ Member of the Board of Directors of the Association of Professional Environmental Auditing (APEA) - Member of the Standards, Training and Accreditation Committee (1996-2002).
- ▶ Former Member of the Standards Committee appointed by the Forest Stewardship Council for Atlantic Canada.
- ▶ Master's Licence (Small Ships).

Country

Experience: Anguilla, Antigua and Barbuda, The Bahamas, Barbados, Belize, British Virgin Islands, Canada, Cayman Islands, Chile, Cook Islands, Comoros, Denmark, Dominica, Egypt, Fiji, French Polynesia, Grenada, Guyana, India, Jamaica, Madagascar, Maldives, Mauritius, Montserrat, Nepal, Norway, Seychelles, South Africa, Sri Lanka, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, Turks and Caicos Islands, United Kingdom, Vanuatu, Zimbabwe.

Work

Experience: **de Romilly & de Romilly Ltd., Environmental and Labour Consultants. 1993 - Present**
President - Sustainable Development Law, Policy and Institutions Adviser/Legal Draftsman/Climate Change Specialist.

Providing professional, technical and consultancy services in the areas of sustainable development, maritime law and policy, environmental and resource management law and policy, conservation law and policy, climate change adaptation, and the establishment of legal/policy and institutional structures for sustainable development (see below for project experience).

- * **February to March 2010.** Retained by the United Nations Environment Programme (UNEP) and the Government of Dominica as International Adviser to support the development of *Organic Dominica*, a 10-year investment program based on the vision of transforming Dominica into an environmentally sound Organic Island and health and wellness destination, thereby creating the enabling environment for sustainable development within the context of a re-energized green economy. Coordinated and facilitated the convening of a National Consultation to develop the 10 year US\$150 million investment program.
- * **December 2009 to August 2010.** Retained by the World Wide Fund for Nature (WWF Cook Islands) as Climate Change Specialist under the Asian Development Bank's *Protecting Island Biodiversity and Traditional Culture in Pacific Island Communities through Community-Based Climate Change Risk Assessment* project funded under the Small Grants Activities (SGA) program. Providing technical assistance to undertake a community climate change risk assessment and adaptation planning/management through incorporation of ecosystem approaches more explicitly addressing the natural resource assets of the community.
- * **January 2009 to December 2010.** Retained by the United Nations Development Programme (UNDP) as International Adviser to the Government of Dominica under the Global Environment Facility (GEF) funded "Sustainable Land Management (SLM) project, that will develop national capacities for sustainable land management and climate change management in appropriate government, civil society institutions and user groups, and mainstream sustainable land management considerations into government planning and strategy development.
- * **May 2009 to March 2010.** Retained as Climate Change Adaptation Specialist by the Government of Nova Scotia (Canada) to develop a guide to the integration of climate change(adaptation and mitigation) in the environmental impact assessment (EIA) process. The development of the guide includes a stocktaking and evaluation of similar guides or approaches - both internationally and in Canada, and the preparation of guidance documents for project proponents and government environmental assessment administrators.
- * **May 2009 to September 2009.** Retained by the United Nations Environment Programme (UNEP) as Team Leader to support the Caribbean Community Secretariat (CARICOM) in the preparation of detailed project document, for the US\$7 million "Regional Project for Implementing National Biosafety Frameworks in the Caribbean Sub-Region" funded by the Global Environment Facility (GEF), that will establish national and regional capacity to implement biosafety, biosecurity and biotechnology frameworks under the *Cartagena Protocol on Biosafety* in Antigua and Barbuda, Commonwealth of the Bahamas, Barbados, Belize, Commonwealth of Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Republic of Trinidad and Tobago.

- * **December 2008 – October 2010.** Technical Coordinator retained by the United Kingdom Department for International Development (DFID) and the Caribbean Community Climate Change Center (CCCCC) under the “Enhancing Capacity for Adaptation to Climate Change (ECACC)” project to assist 5 British Caribbean Territories (Anguilla, British Virgin Islands, Caiman Islands, Montserrat, Turks and Caicos Islands) in the formulation of their *National Climate Change Policy and Action Plan*. The development of these adaptation and mitigation policies in each Caribbean British Territory includes a vulnerability assessment to evaluate climate change impacts on key social, environmental and economic elements, and incorporate a comprehensive review and evaluation of existing mitigation/adaptation-related legislation and institutional structures, their application and enforcement, and the identification of potential opportunities for improvement. The resulting *Issues Paper* serves as the basis for the development, through a broad-based consultative process, of the *National Climate Change Policy and Action Plan* in each British Caribbean Overseas Territory.

- * **January 2008 to June 2009.** Retained by the Caribbean Community Climate Change Center to develop the US\$1.25 million “Caribbean Carbon Neutral Tourism Project” funded by the Inter-American Development Bank (IADB) under the Sustainable Energy and Climate Change Initiative (SECCI) that is to assist the Caribbean region in responding to climate change by enhancing its climate resilience. The project seeks to devise ways of attracting new sources of financing for: (i) the scaling-up of low carbon investments in the tourism sector; and (ii) reducing the sector’s vulnerability to climate change. The four countries that will be used as pilot sites for the Project are: The Commonwealth of the Bahamas, Belize, Guyana and Trinidad and Tobago. The Project will finance: (a) an assessment of the carbon footprint of the tourism sector and evaluation of appropriate renewable energy and low carbon approaches/technologies to reduce its footprint; (b) identification/development of financial mechanisms to establish carbon neutrality for the tourism sector in the Caribbean; (c) preparation of the program to access Climate Investment Fund (CIF) funding for integrating climate resilience within the tourism sector.

- * **October 2008 – April 2009.** Retained at Climate Change Specialist by the Asian Development Bank (ADB) to assist the ADB’s South Asia Regional Department (SARD) in the development, through regional and country consultation, of a Climate Change Implementation Plan (CCIP) for South Asia Developing Member Countries DMCs (Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka.). The South Asia Climate Change Implementation Plan (CCIP) serves to identify ADB’s climate change investments (including capital investments) and to continuously develop and update the Bank’s three-year project pipeline from 2009 to 2011 comprising of loans, technical assistances (TAs), and grants to be incorporated into the Country Partnership Strategy (CPS) for each country and South Asia regional CPS. The CCIP also serves to identify opportunities for accessing additional climate change funding mechanisms in support of South Asia DMCs respective climate change programs. Assisted ADB and the Government of Nepal in start-up activities for the US\$50 million Pilot program on Climate Resilience (PPCR) funded through the US\$6 billion Climate Investment Funds (CIF).

- * **November 2008 – March 2009.** Member of two-person technical team retained by Environment Canada to undertake a comprehensive review of marine debris management policy, law and practices in Canadian coastal waters with a view to strengthening implementation of Canadian regulatory framework and implementation of the *International Convention for the Prevention of Pollution from Ships 1973 as Modified by the Protocol of*

1978 (MARPOL 73/78). Undertook: (a) review and comment on Annex V of the MARPOL Convention and proposed improvements with recommendations as to strengthening implementation of Annex V; and (b) review and evaluation of the existing Environment Canada (*Canadian Environmental Protection Act, 1999*) and Transport Canada (*Canada Shipping Act, 2001*) approaches to regulation of solid waste disposal at sea and management of plastics and other marine litter.

- * **July 2008 – September 2008.** Retained by the Asian Development Bank (ADB) as Climate Change Specialist to support the Government of Nepal in identifying prospective opportunities to address climate change risk management and adaptation. Served as a resource person during the National Fact-Finding Workshop, assisting stakeholders to design project outputs and activities that strengthen Nepal's adaptive response and risk resilience to climate change impacts. Advised the ADB on possible climate change adaptation pilots, that ADB may consider financing through its climate adaptation funding mechanisms. Undertook an assessment of Nepal's current and planned adaptation efforts, in addition to climate change adaptation program being undertaken by NGOs, and other donors, and developed a ADB CRMA Road Map for climate change adaptation in alignment with ADB's country partnership strategy (CPS) and Nepal's NAPA and other adaptation policy and planning instruments.
- * **January 2005 – July 2008.** Member of the Canadian National Steering Committee convened by Health Canada to develop "*Climate Change and Health 2008*" prepared as part of Canada's national report under the *United Nations Framework Convention on Climate Change*.
- * **February 2008 – May 2008.** Retained by Environment Canada (Canadian Environmental Protection Agency) to undertake a comprehensive review and evaluation of international standards, laws and best practices relating to offshore marine works, dredging, waste disposal and dumping with special emphasis on requirements under the *Convention on the Prevention of Marine Pollution by the Dumping of Wastes and Other Matter (London Convention)* and *1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972*. Undertook review of regulatory framework in Canada, New Zealand, Norway, United Kingdom, United States of America, and developed recommendations for the revision of Canadian regulatory framework, including the establishment of regulations to control offshore carbon capture and storage (CCS) to accord with the *Risk Assessment and Management Framework for CO₂ Sequestration in Sub-Seabed Geological Structures (CS-SSGS)* developed by the International Maritime Organisation (IMO) and the 2006 Amendment to the *1996 Protocol* that regulates the sequestration of CO₂ streams from CO₂ capture processes in sub-seabed geological formations.
- * **December 2006 - November 2007.** Retained by World Wide Fund for Nature (Cook Islands) (WWF-Cook Islands) as Legal and Policy Adviser for the "Central Pacific World Heritage Site" project funded by the Australian Government through the Regional Natural Heritage Programme (RNHP) to help conserve biodiversity hotspots in South-East Asia and the Pacific. Providing technical assistance to clarify for the governments of Cook Islands and French Polynesia options for land stewardship in the region incorporating communities, consistent with requirements under the World Heritage Convention, the legal systems of each country, and traditional and customary law and tenure. Required to provide technical assisted in: (a) the development of a regional coordinating structure for a marine transboundary conservation strategy, including but not limited to a joint World Heritage nomination.; and (b) capacity building through training in law and policy, community management and conservation leadership.

- * **February 2007 - May 2007.** Retained by Environment Canada and the Government of Nova Scotia to facilitate the development of a climate change risk management strategic framework for the Province of Nova Scotia. Facilitated consultations with federal, provincial and municipal levels of government and other stakeholders to -
 - a) identify regional and sectoral climate change risk management priorities;
 - b) identify intended federal/provincial/municipal climate change risk management actions in areas of respective responsibility, and actions to be taken with other levels of government and those who will need to adapt;
 - c) identify appropriate framework to address climate change risks affecting the province of Nova Scotia.

- * **January 2005 – September 2006** Retained by the Asian Development Bank (ADB) as Project Manager, Legal and Institutional Strengthening Specialist, and Legal Draftsman for the "Legal and Institutional Strengthening of Environmental Management" project in the Cook Islands. The project was designed to assist the Cook Islands in the development and drafting of priority environmental legislation, including legal frameworks to implement requirements under various international environmental conventions including the *United Nations Framework Convention on Climate Change*, the *Kyoto Protocol*, the *Vienna Convention for the Protection of the Ozone Layer*, the *Montreal Protocol*, the *Convention on Biological Diversity*, the *Cartagena Protocol on Biosafety*, the *United Nations Convention to Combat Desertification (UNCCD)*, the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*, the *Basel Convention on the Trans-Boundary Movement of Hazardous Wastes and Their Disposal*; the *Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention)*; the *Stockholm Convention on Persistent Organic Pollutants (POPs)*; and the *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade*. Undertook a comprehensive policy, legal and institutional review to develop an appropriate policy and regulatory structure for sustainable environmental management. The review included a comprehensive evaluation of jurisdictional issues, capacities and responsibilities to facilitate the development of an appropriate regulatory and administrative structure for environmental management of priority sectors (coastal zone, tourism, economic development). Drafted, through a broad-based consultative process, 14 legislative instruments for, amongst other matters, environmental impact assessments, development planning, waste and pollution management; sewage and waste-water management, biodiversity conservation, and environmental management in Outer Islands. Developed and presented comprehensive enforcement training program for environmental inspectors, including training in investigations, case management, handling of exhibits, court preparation, and court procedures.

- * **June 2005 – September 2006.** Retained on the GEF-funded International Waters Program (IWP) to undertake the following in the Cook Islands:
 - (a) Develop an inventory of environmental and natural resources (marine and terrestrial) management legislation, policy and institutions;
 - (b) Review and evaluate the strengths and weaknesses of existing environmental and natural resources (marine and terrestrial) management legislation, policy and institutions;
 - (c) Identify gaps and deficiencies in the legal, policy and institutional framework for integrated coastal and freshwater resource management;
 - (d) Develop, through a broad-based consultative process, a comprehensive legal, policy and institutional framework for integrated coastal and freshwater resource management that would address priority gaps and deficiencies;

(e) Develop and draft, through a broad-based consultative process, comprehensive legislation for integrated coastal and freshwater resource management that would address priority gaps and deficiencies.

Undertook a comprehensive policy, legal and institutional review to develop an appropriate policy and regulatory structure for the sustainable management of all water resources. The review included a comprehensive evaluation of jurisdictional issues, capacities and responsibilities to facilitate the development of an appropriate regulatory and administrative structure for water resource management. Developed and drafted, through a broad-based consultative process;

(i) the Cook Island's *Water Resource Management Act* which provided the basis for a national water resource inventory and the development of a national strategic plan for water resource management and conservation. The policy and regulatory structure also established the Water Resources Commission, created licensing and permitting systems for the extraction of freshwater resources (surface and underground), established standards for the protection and conservation of water resources, and instituted appropriate structures to control water pollution;

(ii) the Cook Islands *Takuveni Water Catchment Management Regulations* which established a community-based management framework to conserve and protect Rarotonga's principal catch area, which serves as a model for such frameworks in other catchment areas

* **August 2005 – September 2006.** Retained by the World Bank and Caribbean Community Climate Change Centre as Technical Coordinator for the preparation of the PDF-B application, detailed project document, and project operations manual for the US\$5.5 million "Special Program on Adaptation to Climate Change (SPACC)" funded by the Global Environment Facility (GEF), that will establish climate change adaptation measures to address impacts on biodiversity and land degradation in Dominica, Saint Lucia, and St. Vincent and the Grenadines.

* **September 2003 – September 2006.** Technical Director for the "*CLIMATE-SMART*" program that is developing a climate change mitigation and adaptation strategy for the Municipality of Halifax (Canada) that will mainstream climate change considerations into the operational and business activities of the municipality (population 400,000), on a project funded by Natural Resources Canada (NRCAN) and the Federation of Canadian Municipalities (FCM) under Canada's federal Climate Change Adaptation Fund.

* **January 2006 – May 2006.** Retained on a technical assistance project funded by the Global Environment Facility (GEF)/ United Nations Environment Programme as Team Leader of the International Experts contracted by the Government of Dominica to develop the *National Implementation Plan* for the *Stockholm Convention on Persistent Organic Pollutants (POPs)*. Key activities undertaken include: (a) the review of legal, institutional and policy frameworks for hazardous substance management; (b) the establishment of a Preliminary National POPs Inventory; (c) the development of a national profile for chemicals management with emphasis on POPs; (d) the establishment of a POPs Information System; (e) the completion of a capacity building needs assessment and survey; (f) a human health, socio-economic and environmental risk assessment; and (g) the formulation of a National Implementation Plan which included recommendations for proposed legal and institutional framework for hazardous substances management.

* **March 2005 – December 2005.** Retained to provide technical assistance to the Government of Dominica in the development of their *National Capacity Self Assessment (NCSA)* on a

project funded by the Global Environment Facility and United Nations Environment Program (UNEP). The project is designed to assist Dominica in undertaking a self assessment of national capacities to implement several international environmental agreements, including: (a) the *United Nations Framework Convention on Climate Change*; (b) the *Kyoto Protocol*; (c) the *Convention on Biodiversity*; (d) the *Cartagena Protocol on Biosafety*; (e) the *United Nations Convention on Desertification and Land Degradation*; and (f) the *Stockholm Convention on Persistent Organic Pollutants*.

- * **May 2005 – August 2005.** Retained to provide technical assistance to the Government of Grenada in the review and evaluation of the country's *National Biosafety Framework* on a project funded by the United Nations Environment Program (UNEP). The key elements of this project involve the technical review of Grenada's draft biosafety legislation and institutional framework to determine compliance with the requirements of the *Cartagena Protocol on Biosafety*.
- * **March 2005 – July 2005.** Retained by the Danish International Development Agency (DANIDA) to develop a Guide for Danish overseas missions to provide for the integration and mainstreaming of climate change considerations (mitigation and adaptation) into Danish foreign assistance programs and projects, in accordance the 2004 European Union (EU) Policy Directive.
- * **January 2004 – March 2005.** Retained as part of the technical team contracted by the Caribbean Development Bank (CDB) to undertake a comprehensive review and evaluation of the legal, policy and institutional framework for environmental management in select Eastern Caribbean States (Dominica, Grenada, Saint Lucia, St. Vincent and the Grenadines) in order to assess national capacities to implement the *St. George's Declaration of Principles for Environmental Sustainability in the OECS*, the *Barbados Program of Action* and key international and regional agreements including: (a) the *United Nations Framework Convention on Climate Change*; (b) the *Kyoto Protocol*; (c) the *Convention on Biodiversity*; (d) the *Cartagena Protocol on Biosafety*; (e) the *United Nations Convention on Desertification and Land Degradation*; and (f) the *Stockholm Convention on Persistent Organic Pollutants*..
- * **February 2004 – December 2004.** Retained to provide technical assistance to the Government of Dominica in the development of their *National Biosafety Framework* on a project funded by the United Nations Environment Program (UNEP). The key elements of this project involve the preparation of a National Biosafety Framework for Dominica in accordance with the relevant provisions of the *Cartagena Protocol on Biosafety*, including (a) a regulatory system; (b) an administrative system; (c) a decision making system that includes risk assessment and management; and (d) mechanisms for public participation and information. Developed and drafted Dominica's *Biosafety and Biotechnology Management Bill 2004*.
- * **September 2003 – October 2004.** Retained by the Inter-American Development Bank (IADB) to provide an overview of important environment and natural resource issues in Trinidad and Tobago, and make recommendations for policies and programs to further environment and natural resource management for sustainable development consistent with the country's objective of reaching developed country status by 2020. The project included the following elements:
 - Review of the environmental situation in Trinidad and in Tobago, including an evaluation of the legal and institutional framework as well as institutional capacity for environmental management;

- Identification of the existing environmental and social liabilities and propose remedial policies and programs with a clear identification of the costs and responsibilities to execute;
 - Propose alternative environmental management systems including, but not limited to, the use of auditing;
 - Analysis of existing action plan and contingency plans to mitigate the impacts of environmental disasters and define the roles and responsibilities of the institutions involved.
- * **September 2003 – September 2004.** Assisted the Caribbean Disaster Mitigation Office of the Caribbean Development Bank (CDB) to develop guidelines for Natural Hazards Impact Assessments (NHIA) that provide for the integration of climate change into the Bank’s environmental impact assessment process.
- * **May 2003 – September 2004.** Manager and Technical Director for the *"Adapting to Climate Change in Nova Scotia: Issues Paper"* and *"Adapting to Climate Change in Nova Scotia: Vulnerability Assessment and Adaptation Options"* developed for the Government of Nova Scotia (Canada). The development of this strategic adaptation policy document for the Provincial Government (provincial population 1 million) included a comprehensive review and evaluation of existing adaptation-related legislation and institutional structures, their application and enforcement, and the identification of potential opportunities for improvement. The Issues Paper serves as the basis for the development of a *Climate Change Adaptation Strategy* for the province of Nova Scotia.
- * **October 2001 – October 2004.** Co-Principal of the Executing Agency for US\$2 million *Adapting to Climate Change (ACCC)* project funded by the Canadian International Development Agency (CIDA) under the Canadian Climate Change Development Fund (CCCDF). The project supported the development of integrated planning and management strategies for cost-effective response and adaptation to the impacts of global climate change in twelve participating Caribbean countries (Antigua and Barbuda, Commonwealth of the Bahamas, Barbados, Belize, Commonwealth of Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Republic of Trinidad and Tobago).
- * **January 2003 – June 2003.** Retained by the World Bank to develop a guide on *"Mainstreaming Economic Valuations"* for integration into the Caribbean climate change adaptation program – *"Mainstreaming Adaptation to Climate Change"* - funded by the Global Environment Facility (GEF).
- * **March 2002 – March 2004.** In collaboration with officers within the Latin America and Caribbean Region Division of the World Bank and the Organisation of American States (OAS) formulating a regional project for the management of marine pollution from oil spills in the Wider Caribbean Region, for funding by the Global Environment Facility (GEF). The project is intended to implement national and regional obligations under the *International Convention on Oil Spill Preparedness, Response and Co-operation (OPRC)*.
- * **March 2002 – March 2003.** Retained by the World Bank to develop and implement the Management Information System (MIS) for the Regional Project Implementation Unit established to manage the *"Mainstreaming Adaptation to Climate Change"* (MACC) project in the Caribbean region, and provide training to Caribbean Community (CARICOM) Secretariat personnel on World Bank project management, financial management and project reporting procedures.

- * **June 2001- March 2002.** -Retained by Environment Canada (Canadian Environmental Protection Agency) to develop guidelines and undertake a training program for the use of alternate dispute resolution (ADR) process in the management of federal contaminated sites. Undertook comprehensive review of contaminated site management legislation, policies and procedures in the United States of America, the United Kingdom, Australia and New Zealand. Principal author of *Best Practice Guidelines for Federal Departments and Agencies on Dispute Resolution Processes for the Management of Federal Contaminated Lands* (Treasury Board of Canada/Environment Canada).
- * **March 2002.** Retained by Canadian Department of Foreign Affairs and International Trade (DFAIT) to undertake review of countries in sub-Saharan Africa to identify candidate city for support under the “Sustainable Cities Initiative” (SCI). Evaluated political, economic, social, human rights, trade and environmental conditions in 42 countries in Africa and the Indian Ocean regions.
- * **February 2001 – September 2001.** Retained as International Biodiversity Planning Specialist to develop the *National Biodiversity Strategy and Action Plan* for the Government of Dominica, on a project funded by the United Nations Development Programme (UNDP). Designed the biodiversity planning process, convened and facilitated national biodiversity planning working sessions, supervised and directed the preparation of *Dominica’s Biodiversity Strategy and Action Plan* and *Country Study*. Prepared Dominica’s *First National Report* to the Conference of Parties to the *Convention on Biological Diversity*.
- * **June 2000 – June 2001.** Retained by the Organization of American States (OAS) to develop the Policy for the Planning and Management of Adaptation to Climate Change, on a project funded by the Global Environment Facility(GEF)/World Bank. Undertook policy, legal and institutional review to establish the framework for the development of the policy framework and the legal and institutional mechanisms for planning and management of climate change at the national and regional levels under Component Four (Policy and Legislation) of the Caribbean Planning for Adaptation to Global Climate Change (CPACC) project undertaken by the Organization of American States (OAS). The project is intended to support the development of a generic policy framework for the preparation of integrated planning and management for cost-effective response and adaptation to the impacts of global climate change on coastal and marine areas in twelve participating countries (Antigua and Barbuda, Commonwealth of the Bahamas, Barbados, Belize, Commonwealth of Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Republic of Trinidad and Tobago). Required to:
 - (a) Review and analyze current policies, legislation and institutional mechanisms for adaptation planning for climate change in the context of physical planning, coastal zone management, and disaster contingency planning and management;
 - (b) Review, analyze and evaluate existing policies, legislation and institutional mechanisms in select countries worldwide (Australia, Canada, the Netherlands, New Zealand, the South Pacific, United Kingdom, United States of America) and evaluate the existing application of these policies, legislation and institutional mechanisms in light of their potential application in the Caribbean region;
 - (c) Outline the most appropriate policy, legislation and institutional options to be used of integrated planning and management for cost-effective response and adaptation to the impacts of global climate change on coastal and marine areas in the Caribbean region; and
 - (d) Outline the data, human resources and institutional arrangements necessary to

implement appropriate policy, legislation and institutional options to be used in the Caribbean region.

Intended to establish the policy, legal and institutional structures required to implement requirements under the *United Nations Framework Convention on Climate Change*, specifically relating to adaptation planning and management. Co-ordinator in charge of assisting the twelve participating States in the development and implementation of a *National Climate Change Adaptation Policy* and Action Strategy through a broad-based public consultation process.

- * **April 1999 – September 1999.** Retained by the Inter-American Development Bank (IDB) as member of the small multi-disciplinary team tasked to formulate the Strategic Plan for the development and management of the sewerage and waste-water sector of Trinidad and Tobago. Undertook a comprehensive review and evaluation of the legal, regulatory, institutional and financial structures affecting the sewerage and waste-water sector, and developed the legal and institutional framework to:

- (a) establish a new Sewerage Division within the Water and Sewerage Authority (WASA);
- (b) provide for the separation of the regulatory and operational functions for environmental management and the permitting and licensing of waste-water facilities under the authority of the Public Utilities Commission;
- (c) facilitate and provide the basis for the privatization of the sewerage and waste-water sector within five years.

- * **Aug 1999 – July 2002.** Member of the Canadian Executing Agency (CEA) retained by the Canadian International Development Agency (CIDA) to design and implement the Environmental Capacity Development (ENCAPD) project for the Member States (Anguilla, Antigua, British Virgin Islands, Dominica, Grenada, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines) of the Organisation of Eastern Caribbean States (OECS). The project is designed to:

- (a) provide for the institutional strengthening of the Organisation for Eastern Caribbean States – Natural Resources Management Unit (OECS-NRMU) and environmental agencies in Member States;
- (b) establish regional and national environmental management policies and strategies aimed at achieving sustainable development and the implementation of the *Program of Action* concluded at the United Nations Global Conference on the Sustainable Development of Small Island Developing States;
- (c) establish regional and national environmental management information systems to enhance informed decision making;
- (d) establish comprehensive environmental legislation in Member States.

Member of the team involved in the design of a 4 year Program of Action for the institutional strengthening of the OECS-NRMU and environmental agencies in member States. Provided technical and drafting assistance in the development of the *St. George's Declaration of Principles for Environmental Sustainability in the OECS Region* that has been formally adopted by OECS Member States. Undertook legal, policy and institutional review in St. Lucia of all government agencies involved in environmental and resource management to identify deficiencies and develop a program to provide for the strengthening of national policy, legal and institutional frameworks for environmental management.

- * **July 1998 – June 1999.** Retained by the Organisation of Eastern Caribbean States (OECS) to undertake the Policy, Legislation and Regulations Component of the Solid and Ship-Generated Waste Management Project funded by the World Bank, Global Environment

Facility (GEF) and the Caribbean Development Bank (CDB). Project Manager of team that developed the national policies, legislation/regulations and institutional structures for the management of solid wastes and wastes generated from ships for the States of Antigua, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines. Was the principal legal draftsman of the *Marine Pollution Management Bill* and *Waste Management Bill* for Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, which established:

- (i) Comprehensive legal and institutional structures for the implementation of a number of international and regional environmental treaties, including the *International Convention for the Prevention of Pollution from Ships 1973 as Modified by the Protocol of 1978 (MARPOL 73/78)*, the *Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal*, and the *Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region*; and
- (ii) Comprehensive environmental impact assessment (EIA) and development approval processes for waste management facilities/operations and to regulate marina development and discharges into the marine environment.

* **March 1998 – June 1998.** Retained by the Government of Jamaica and the International Development Research Centre (IDRC), the World Bank, and the Commonwealth Secretariat Caribbean Capacity Building for Environmental Management Program, to develop and conduct a workshop in collaboration with the Jamaican Ministry of Environment and Housing, the Natural Resource Conservation Authority (NRCA), the Attorney General's Office and the Jamaica Bar Association relating to the establishment of an appropriate legal/institutional framework for sustainable development in Jamaica. Undertook a comprehensive policy, legal and institutional review and evaluation of all Jamaican laws, policies and programs in the area of environmental and resource management, and sustainable development. Additionally, undertook a review of policy, legal and institutional structures to implement Jamaica's commitments under the international and regional environmental treaties to which Jamaica had signed or was interested in becoming a party. Prepared a comprehensive report entitled *Legislative Framework for Sustainable Development in Jamaica*, concerning the existing policy, legal and institutional structures, which identified deficiencies or areas where existing policy, legal and institutional structures required harmonization, modernization or consolidation. This report was presented and endorsed at a national seminar convened by the Jamaica Ministry of Environment and Housing, the Natural Resources Conservation Authority (NRCA) and the Office of the Attorney General.

* **March 1997 – July 1998.** Retained by the Asian Development Bank (ADB) to develop and draft the environmental management, urban planning and resource management legislation of Vanuatu. The project, which was undertaken for the Vanuatu Environment Unit and the Attorney General's Chambers, served to implement recommendations contained in the *National Conservation Strategy*, specifically to review, update, and draft enforceable legislation on water resource and environmental management, and urban planning. The new legislation (which was approved by the Council of Ministers in May 1999), provides for the establishment, powers, duties and functions of the Vanuatu Department of Environment, update and consolidate Vanuatu's environmental, marine and resource management legislation and establish, for the first time in the country, a legal and institutional framework for:

- (i) Environmental Impact Assessment;
- (ii) Pollution and Waste Management;
- (iii) Management of Marine Pollution from Shipping;

- (iv) the Management of Hazardous Substances and Hazardous Waste; and
- (v) Wildlife Conservation and Protected Areas Management.

The project resulted in the establishment of co-ordinated legal and institutional structures for the implementation of a number of international and regional agreements and treaties (including the *United Nations Framework Convention on Climate Change*, the *Convention on Biological Diversity*, the *International Convention for the Prevention of Pollution from Ships and Related Protocols (MARPOL 73/78)*, the *Convention on the Prevention of Marine Pollution by the Dumping of Wastes and Other Matter (London Convention)*, the *Convention on the Trans-boundary Movement of Hazardous Wastes in the South Pacific Region*, the *International Convention on Oil Spill Preparedness, Response and Co-operation (OPRC Convention)*, the *International Maritime Dangerous Goods Code (IMDG)*. A system of “port State control” was established to provide for ship inspection, monitoring and enforcement. Designed the environmental impact assessment (EIA) process and procedures, and environmental monitoring and enforcement process for the Vanuatu Department of Environment which are incorporated into the new legislation. Retained to develop the policy and regulatory framework for the management of all surface and underground water resource. Undertook a comprehensive policy, legal and institutional review to develop an appropriate policy and regulatory structure for the sustainable management of all water resources. The review included a comprehensive evaluation of jurisdictional issues, capacities and responsibilities to facilitate the development of an appropriate regulatory and administrative structure for water resource management. Developed and drafted Vanuatu’s *Water Resource Management Act* which provided the basis for a national water resource inventory and the development of a national strategic plan for water resource management and conservation. The policy and regulatory structure also established the Water Resources Commission, created licensing and permitting systems for the extraction of freshwater resources (surface and underground), established standards for the protection and conservation of water resources, and instituted appropriate structures to control water pollution.

- * **May 1995 – December 1997.** Retained by the Asian Development Bank (ADB) to draft the marine, environmental and resource management legislation of Fiji. Project Manager for the project, which was undertaken for the Fiji Department of Environment and the Attorney General's Chambers, and which implements recommendations contained in the *National Environment Strategy*, specifically to review, update, and draft enforceable legislation on natural resource and environmental management. Fiji's new environmental legislation (*Environmental Management Act*), which was approved by Parliament in 2003, is intended to consolidate and update at least fifty-four Acts, implement over twenty three international and regional agreements and treaties (including the *United Nations Framework Convention on Climate Change*, the *Kyoto Protocol*, the *Convention on Biological Diversity*, the *International Convention for the Prevention of Pollution from Ships and Related Protocols (MARPOL 73/78)*, the *Convention on the Prevention of Marine Pollution by the Dumping of Wastes and Other Matter (London Convention)*, the *Convention on the Trans-boundary Movement of Hazardous Wastes in the South Pacific Region*, the *International Convention on Oil Spill Preparedness, Response and Co-operation (OPRC Convention)*, the *International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties*, the *International Convention on Civil Liability for Oil Pollution Damage*, and the *International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage*), and create greater co-ordination amongst various implementing agencies and government departments. The new legislation, which was approved by the Fiji Parliamentary Legislative Committee in November 1997, will establish, for the first time in the country, a legal framework for:
 - i) Environmental Impact Assessment;

- ii) Pollution and Waste Management;
- iii) Management of Marine Pollution from Shipping;
- iv) the Management of Hazardous Substances and Hazardous Waste;
- v) Integrated Coastal, Water and Land Resource Management; and
- vi) Wildlife Conservation and Protected Areas Management.

Additionally, the new legislation establishes a legal and institutional structure to implement and enforce the *International Maritime Dangerous Goods Code (IMDG)*, and will establish a system of “port State control” for ship inspection, monitoring and enforcement. Designed the comprehensive public consultation process that constituted an integral part of the legal drafting process, and participated in a number of workshops and seminars convened by the Department of Environment and Attorney General’s Office to facilitate the formulation of an appropriate regulatory framework. Prepared and presented a number of Cabinet Memoranda concerning Fiji’s accession to the *International Convention for the Prevention of Pollution from Ships and Related Protocols (MARPOL 73/78)*, the *International Convention on Oil Spill Preparedness, Response and Co-operation (OPRC Convention)*, and the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*. Designed the environmental impact assessment (EIA) process and procedures, and environmental monitoring and enforcement process for the Fiji Department of Environment which are incorporated into the new legislation.

- * **January 1997 – December 1997.** Retained as Project Manager by the United Nations Development Programme (UNDP)/Asian Development Bank (ADB) to establish the broad-based consultative process leading to the development and drafting of “*Capacity Building for Sustainable Development in Fiji*”, the national action plan for sustainable development that serves to implement recommendations in the National Environment Strategy, and give effect to the provisions of Fiji’s new sustainable development legislation.

- * **January 1997 – November 1997.** Retained by the Energy Development Division of the Department of Natural Resources to design and develop the Regulations for the administration and management of the Sable Offshore Gas Development in Nova Scotia, Canada which is the largest single commercial deposit of natural gas in North America. A comprehensive review was undertaken of Federal oil and gas regulations, and the oil and gas pipeline and gas processing facility regulations of Alberta, British Columbia and other Canadian provincial energy regulatory frameworks to identify and develop an appropriate regulatory framework relating to pipeline and facility construction and design, operational safety, environmental protection, land acquisitions and easements, abandonment procedures, pipeline crossings and the establishment of an appropriate administrative and institutional structure. The *Pipeline Regulations (N.S. Reg. 66/98)* which were promulgated in September 1998, establishes the legal, administrative and institutional structures to regulate environmental, safety, planning, management, and operational aspects related to the development of the offshore gas facility, offshore pipelines, onshore pipelines, and the onshore gas processing facility.

- * **June 1995 – December 1995.** Retained by the Caribbean Development Bank (CDB) to undertake a legal and institutional review of the national parks management capability of the Commonwealth of Dominica, and develop an appropriate national parks management policy, regulatory and institutional framework. Project Manager of the project which established the legal and institutional capacity to effectively manage and administer the country's national parks and eco-tourism development, and establish an effective environmental impact assessment process. Member of the three person team of parks specialists that drafted “*Dominica National Parks Service - Management Handbook*” which was adopted by the

Dominica Government in December 1996.

- * **March 1995 – June 1995.** Retained by the World Bank to assist the Ministry of Planning and Development and the newly created Environmental Management Authority (EMA) in Trinidad and Tobago to design, plan, and develop Terms of Reference for a number of priority environmental activities that are to be financed by the World Bank, including the National Environmental Management Plan (NEMP), the National Environmental Information System (NEIS), and the updating of various environmental regulations and subsidiary legislation.

- * **April 1995 – October 1995.** Developed the framework for an inter-agency textbook on "*Sustainable Development Law - the Legal Framework for the Implementation of Agenda 21*", in consultation with the United Nations Department for Policy Co-ordination and Sustainable Development (UNDP/CSD), the Canadian International Development Agency (CIDA) and the International Development Research Centre (IDRC).

- * **March 1995 – December 1995.** Member of the Canadian Biodiversity Strategy Population Focus Group convened by the Biodiversity Convention Office of Environment Canada (Canadian environmental protection agency) to prepare recommendations for integration into the *Canadian Biodiversity Strategy*.

- * **January 1995 – December 1995.** Appointed as a member of the Standards Committee by the Forest Stewardship Council for Atlantic Canada to develop standards for sustainable forest management of private and state owned forests in Atlantic Canada.

- * **November 1994 – April 1995.** Retained by the International Maritime Organisation (IMO) to:
 - i) a review of the National Oil Spill Contingency Plans, oil spill response capabilities and marine pollution institutional capabilities and laws of the island states of the Indian Ocean region (Comoros, Madagascar, Mauritius, Maldives, and Seychelles); and
 - ii) determine compliance by States within the Indian Ocean Region with the obligations and requirements of the *International Convention on Oil Spill Preparedness, Response and Co-operation* and the United Nations Environment Programme (UNEP) *Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (EAF/7)*.Prepared the proposal for the establishment of a Regional Oil Spill Contingency Programme for the island States in the Western Indian Ocean, for submission to the Global Environment Facility (GEF). The project proposal, contained in the assignment report, was approved by the Global Environment Facility (GEF)/World Bank in June 1998 (see *Western Indian Ocean Islands Oil Spill Contingency Planning Project - GEF/IS/4* at page C-11.)

- * **October 1994 – April 1995.** Retained by Industry Canada (Canadian Department of Foreign Affairs, Industry and Trade) to undertake a review of the environmental law, policy and institutional capacity (including private sector environmental capacity and technological capabilities) of South Africa, with a view to identifying environmental business opportunities for Canadian companies.

- * **June 1994 – December 1994.** Retained by Environment Canada (Canadian environment protection agency) as one of the team of experts to conduct seminar for senior government

officers on "*Greening Government Operations - The New Imperative*".

- * **June 1994 – December 1994.** Member of the Review Committee appointed by the Canadian Bar Association (CBA) to review the draft *Environment Act* of Nova Scotia, and prepare written submissions to the Nova Scotia Round Table on Environment and Economy, and the Department of Environment.
- * **January 1994 – October 1994.** Developed the "Stewardship Strategy" relating to the conservation, protection and sustainable management of natural resources (terrestrial and marine) on private lands for the Department of Natural Resources, the Department of Environment, and the Department of Fisheries and Oceans. The development of the Stewardship Strategy, which was presented jointly to the Ministers of Environment, Natural Resources, and Fisheries and Oceans, required a comprehensive institutional review and evaluation of federal and provincial conservation, national parks and resource management departments. The Strategy is designed to give effect to recommendations relating to private sector participation in natural resource conservation and management programs identified in Canada's *Green Plan* (national sustainable development plan), the *Canadian Biodiversity Strategy*, and the *Sustainable Development Strategy for Nova Scotia*.
- * **1994 – 1999.** Retained by the Technical University of Nova Scotia (TUNS) to assist in the design, development and presentation of fourteen week certificate courses on the following:
 - i) *Environmental Auditing and Site Assessments* - and *Advanced Environmental Auditing* (courses co-sponsored by the Department of Environment (N.S.) and the Association of Professional Environmental Auditing); and
 - ii) *Environmental Arbitration and Mediation* (course co-sponsored by the Department of Environment (N.S.), and the Arbitration and Mediation Institute).

Canadian Environmental Mediation Services. 1995 - Present.

Founding Partner - Chartered Environmental Mediator

- * Retained as Mediator by the Coalition of Nova Scotia Forest Interests (which includes the Minister of Natural Resources, and senior representatives from the forestry industry, forest land owners and forestry support services) to assist in deadlocked negotiations relating to the development of the *Forestry Strategy for Nova Scotia*. The strategy document concluded during the mediation process was released for public comment in early 1996.
- * Retained by the Nova Scotia Department of Environment to conduct a multi-stakeholder workshop and training session on the use of mediation in the environmental impact assessment process.
- * Retained by the Nova Scotia Department of Environment to draft "*Guidelines for the Use of Environmental Mediation in Environmental Impact Assessments and the Management of Contaminated Sites*".
- * Chairman of the Standards, Training and Accreditation Committee appointed by the Canadian Arbitration and Mediation Institute (Atlantic Canada Region) to develop guidelines and undertake the accreditation of Chartered Mediators.

Dalhousie University/Saint Mary's University/Technical University of Nova Scotia (TUNS).

1991 - Present

Lecturer (Part time)

- * Retained by the Technical University of Nova Scotia (TUNS) to develop and undertake training seminars for Department of Environment Legal Counsel, state prosecuting attorneys, defence attorneys, senior environmental managers and environmental technicians in the following subjects:
 - i) Technical Evidence for Environmental Litigation;
 - ii) Corporate and Individual Liability for Environmental Damage;
 - iii) Total Quality Environmental Management - The Legal and Institutional Process;
 - iv) Ozone Layer Protection and CFC Regulation -The Legal and Institutional Framework;
 - v) Liability for Environmental Impact and the Implementation of a Comprehensive Environmental Management System to Establish a "Due Diligence" Defence;
 - vi) The Environmental Side Agreement of the North American Free Trade Agreement (NAFTA) - Implications for Business;
 - viii) Industrial Fire Hazards - Legal Liability;
 - ix) Environmental Regulation for Managers;
 - x) Implementing ISO 14000 Series Standards;
 - xi) Alternate Dispute Resolution (ADR).

- * Invited to lecture in the areas of international environmental law, sustainable development, and international conservation strategies to students at Dalhousie University Law School.

- * Invited to lecture in the area of corporate environmental liability to students at Saint Mary's University Business School.

- * Invited to lecture in the area of legal liability for hazardous and toxic substances to chemical engineering students at the Technical University of Nova Scotia - Chemical Engineering Division.

Meridian Enterprises. 1992 - 1995

Environmental Law, Policy and Institutions Adviser

Project Manager responsible for the feasibility/environmental impact study for the establishment of a wastewater treatment plant for the coastal city of Coquimbo (pop. 100,000), utilising advanced non-conventional waste treatment technology from Canada. The study was undertaken for the largest Chilean state owned utility corporation *la Corporacion de Fomento de la Produccion* (CORFO), with funding from the Canadian International Development Agency (CIDA). Completed review and evaluation of national environmental protection legislation, marine protection legislation and waste-water discharge regulations to ensure that the treatment plant would operate within the requirements imposed by the strict emission control standards being passed by the General Assembly of Chile. Additionally, worked with the *Direccion General del Territorio Maritimo y de Marina Mercante* (Chilean Coastguard) to establish a comprehensive coastal management and marine pollution prevention and enforcement programme, with technical assistance and advanced coastal mapping/remote sensing/GRID/GIS technology and pollution prevention/ enforcement training services from Canada.

P. Lane and Associates Limited, Environmental Consultants. 1992 - 1993 (Term Contract)

Senior Environmental Lawyer

- * Review of Canada's federal and provincial environmental impact assessment legislation, environmental protection legislation, maritime and coastal protection laws, land planning laws, and engineering regulations, codes and standards as part of feasibility/environmental impact studies for:
 - i) the Department of Transportation and Communications in respect of a large Canada State Highway construction project (Highway 101);
 - ii) the Department of National Defence (DND) in respect of Canadian Forces Maritime Test and Evaluation Ranges Project, designed to establish a national offshore test range for the Canadian Naval forces; and
 - iii) the Metropolitan Authority of Greater Halifax in respect of the establishment of a regional land fill site for solid waste.Additionally, assisted with the preparation of the environmental protection plans for the Highway 101 environmental impact assessment.

- * Retained as the senior environmental lawyer on a large multi-disciplinary team of environmental experts contracted by the Canadian Environmental Protection Agency, Environment Canada, to review and evaluate the Canadian Environmental Protection Act (R.S.C. 1985 c.16, 4th Supp.). The evaluation report forms the basis for Environment Canada's recommendations to the Parliamentary Review Committee concerning the review and reform of Canada's principal environmental protection law.

- * Retained by commercial bank as a member of the team that undertook the site assessment and clean-up of contaminated industrial property that had been placed in receivership. Remediation plan included the development and implementation of processes to address high levels of dioxins that were present throughout the working area of the industrial property.

- * Developed International Marketing Programme for the company to facilitate federal/provincial funding support for long term marketing initiatives in Eastern Europe and Latin America, aimed principally at servicing European Bank for Reconstruction and Development (EBRD), World Bank and Inter-American Development Bank (IDB) environmental protection/management projects in those regions.

United Nations Development Programme (UNDP)/ Global Environment Facility (G.E.F.). 1992.
Environmental Law, Policy and Institutions Consultant

Institutional, legal and policy review and evaluation of the environmental protection programmes, marine pollution programmes, land and coastal planning programmes in the Republic of Egypt. A comprehensive review was undertaken of the institutional capacity of the Egyptian Environmental Affairs Agency (EEAA), (including capacity to implement requirements under international environmental treaty obligations), as part of a feasibility study for a Global Environment Facility (G.E.F.) project funded by the United Nations Development Programme (UNDP). Additionally, prepared the environmental protection plan for the environmental impact assessment and feasibility study of the proposed waste-water treatment plant funded under the G.E.F. for the Republic of Egypt.

Canadian International Development Agency (CIDA). 1991.

Environmental Law, Policy and Institutions Consultant

Review and evaluation of the Canadian Environmental Assessment Act (R.S. ch 37/1992) together with a comprehensive evaluation of the institutional, administrative and enforcement

capabilities of the Canadian International Development Agency (CIDA) in respect of the environmental impact assessment requirements of the Act. The project required the drafting of new legislation/regulations and operational procedures and guidelines for CIDA concerning enforcement and implementation of environmental impact assessments in respect of all Official Development Assistance (ODA) to developing countries.

United Nations Development Programme (UNDP)/Government of Seychelles. 1989 - 1991.
Legal/Technical Advisor to the Department of Environment,

The Department of Environment in Seychelles was created early in 1989, with portfolio responsibility being vested in the State President. The historical absence of any legal or administrative environmental management infrastructure required the establishment and implementation of a comprehensive legal and institutional framework to permit the undertaking of the various and diverse responsibilities required of the Department of Environment. As Legal/Technical Adviser to the Department, the duties and responsibilities involved in the creation of a national legal strategy for sustainable development and the management of environmental problems were varied, and included the following:-

i) Institution Building for Sustainable Development: Review and evaluation of the institutional capacity of the newly established Department of Environment and various other government departments, with particular emphasis on an assessment of administrative capabilities to design, manage and implement the proposed national plan for sustainable development. One of the principal technicians responsible for the formulation and preparation of the Seychelles Government's **Environmental Management Plan**, a ten year national development programme to provide for environmentally sustainable development in all sectors. Work on the establishment of the **Environmental Management Plan** was initiated with a comprehensive institutional review of all existing government departments, environmental and marine protection policies, programmes and laws, and the identification and evaluation of existing scientific research and documentation relating to the state of the environment. Participated as Technical Adviser to the Department of Environment during "Roundtable" discussions with various government Ministries and non-governmental stakeholders to identify priority areas for inclusion in the proposed **Environmental Management Plan**, and assisted in the formulation of programmes and projects for inclusion in the final plan. Participated as Technical Adviser at the international donors conference with international financial and development assistance agencies convened by the World Bank, the United Nations Environment Programme (UNEP) and United Nations Development Programme (UNDP) to undertake technical review and negotiate financial assistance for the **Environmental Management Plan** of Seychelles. Project Manager responsible for the identification, design and formulation of various projects under the Seychelles **National Development Plan** and **Environmental Management Plan** for Sustainable Development. Assisted representatives from various international development agencies and financial institutions in feasibility studies and appraisal missions for projects being considered for funding. Responsible for the identification and design of the "Biodiversity Protection" and "Abatement of Marine Pollution" projects submitted for funding by the World Bank/Global Environment Facility (GEF), and provided technical assistance during appraisal missions by the World Bank.

ii) Environmental Law Reform: Review and evaluation of all environmental, conservation, marine pollution and public health legislation and institutional capabilities of government departments. Drafted the Oil Spill Contingency Legislation, Offshore Petroleum Exploration Regulations (which included provisions for comprehensive environmental impact assessment

procedures) and Conservation and National Parks Legislation. Other responsibilities included the compilation of existing legislation of Seychelles related to the environment, production of a guide to the environmental legislation depicting existing legal provisions with relevant indexes, and review of the existing legislation with a view to identifying shortcomings and recommending improvements required to accommodate the policy of environmental protection and sustainable development which had been adopted by the Seychelles Government for its National Development Plan for the period 1990-1994.

iii) Environmental Management Policies and Programs: Prepared memoranda and policy papers for approval by Cabinet of Ministers on environmental policy issues, including the establishment of a Regional and National Oil Spill Contingency Plan, the establishment of a National Coastguard, the establishment of an endangered species protection plan, the coordination of environmental assessment and environmental management responsibilities among government departments, the ratification and implementation of international environmental agreements and treaties for marine pollution prevention, the protection of biodiversity and the imposition of a regional ban on driftnet fishing in the Western Indian Ocean. Involvement in the administration and management aspects of the Department of Environment included the formulation and presentation of annual budgets, operational programmes and Departmental portfolio responsibilities. Provided legal advice to the Department of Environment and other Government agencies concerning the enforcement and implementation of environmental legislation. Represented the Department of Environment on the National Land Planning Committee, and required to assist in obtaining evidence and enforcing relevant environmental laws in cases of violations.

iv) Solid Waste Management/Environmental Assessment: Appointed by the State President to represent the Department of Environment on a three man inter-Ministerial environmental assessment committee tasked to identify the site for the new national solid waste land fill, and conduct necessary socio/ environmental impact assessment. In consultation with the Director of Land Planning, and the Director General of the Public Utilities Corporation, a suitable site was identified which would meet national solid waste needs for twenty years. In view of the mountainous topography and a narrow coastal belt, the only suitable site, being located in close proximity to residential development and the national airport, presented a considerable threat from the environmental, human health and safety, and political viewpoints. After detailed discussions with the Director of Civil Aviation and his senior staff, a suitable environmental protection plan was developed which would address the legal and technical concerns of the Department of Civil Aviation and international aviation authorities. Additionally, a rock-armoured bund wall was established with sediment filter cloth and lining for the landfill site to prevent contamination of the nearby marine national park.

v) Implementation of National Conservation Strategy: required to draft legislative amendments to improve enforcement of National Parks and Wildlife conservation legislation, and revise existing wildlife legislation to extend protection to corals, shells and marine turtles in compliance with the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Instrumental in devising a management plan for the protection of endangered sea turtles, and in bringing about the imposition of a total ban on the harvesting and exploitation of sea turtles in compliance with Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

vi) Establishment of Marine Pollution Program: instrumental in the establishment of National and Regional Oil Spill Contingency Programs. Initiated proposal for the creation of a National Coastguard for marine pollution prevention, detection and remediation, and of a

Regional Oil Spill Response and co-ordination Centre within the Western Indian Ocean in furtherance of obligations under the International Convention on Oil Spill Preparedness, Response and Co-operation, with administrative support from the International Maritime Organisation (IMO) and the United Nations Environment Programme (UNEP) and technical assistance from the International Centre for Ocean Development (ICOD). Assisted the Ministry of Community Development during contract negotiations with international civil engineering contractors retained to undertake extensive multi-million dollar dredging and reclamation works funded by the Belgian government, thereby ensuring adequate provisions within the contract to prevent or reduce environmental damage in compliance with recommendations made by the United Nations Environment Programme (UNEP). Department of Environment representative on inter-departmental dredging steering committee established to monitor, supervise, and manage dredging and reclamation activities.

vii) International Environmental Law: undertook liaison visits on behalf of the Seychelles Government to the offices of the International Maritime Organisation (IMO) in London, the United Nations Environment Programme (UNEP) in Nairobi, and the Environmental Law Centre of the International Union for the Conservation of Nature (IUCN) in Bonn, principally to further developments under various international agreements and treaties, and additionally to research and collate technical information and legal illustrations of recognised standards, guidelines and other regulatory instruments in the areas of conservation and marine pollution. In the company of the Director of the Seychelles National Oil Company, participated in an extended working visit to Norway at the invitation of the Norwegian Petroleum Directorate and Pollution Control Authority in furtherance of an environmental law reform project to review and revise the Seychelles' offshore petroleum legislation. Additionally, assisted in the preparation of documentation to permit Seychelles to accede to international environmental conventions, including the *Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal*, the *Vienna Convention for the Protection of the Ozone Layer*, the *Montreal Protocol on Substances that Deplete the Ozone Layer*, the *International Convention for the Prevention of Pollution from Ships (MARPOL 73/78)*, and the *International Convention on Oil Spill Preparedness, Response and Co-operation*.

viii) Human Resource Development: One of the principals responsible for the design of a national environmental education program which was incorporated into the Seychelles Environmental Management Plan. Undertook on-site training programs concerning practical aspects of marine and industrial pollution prevention and detection for environmental inspectors in the Department of Environment, together with training programs for National Park Wardens on practical aspects of securing and presenting evidence in cases of violations under the National Parks and Conservation legislation.

Ship's Master (Small Ships), 1987-1988

Master in charge of various small ships, on ocean voyages in excess of 30, 000 sea miles.

Ministry of Justice, Government of Zimbabwe. 1973 - 1986.

In the following positions:-

Senior Provincial Magistrate, (1984 - 1986)

Provincial Magistrate, (1983 - 1984)

Senior Magistrate, (1982)

Magistrate, (1980 - 1981)

Appointed to the Judicial Bench at the unprecedented age of twenty four years. Exercised

judicial responsibilities in Civil, Criminal and Juvenile Courts, Housing and Rent Courts, Liquor Licensing Tribunals, and presided over inquests and adoption proceedings, insolvency applications and exercised appellate jurisdiction when chairing hearings of the Court of Appeal for Community Courts. Only one decision amongst the several thousand handed down during a judicial term spanning six years was reversed on appeal by the Supreme Court of Zimbabwe. Exercised executive, financial and personnel responsibilities in the administration of a number of Provincial, District and Circuit Courts. Additionally, advised the Attorney General's Law Reform Committee on practical enforcement and procedural problems, and acted as judicial liaison officer to the Legal Director of the Department of National Parks and Conservation. Conducted training programs for junior judicial officers and prosecutors in the areas of criminal and civil procedure and evidence. Supervised training programs for National Parks Wardens in the securement and presentation of evidence for offences under the National Parks and Wildlife Act.

Presided over leading trials involving offences under the Forestry Conservation Act and the Parks and Wildlife Act, including the illegal hunting of elephant and rhinoceros, and the illegal international trade in animal trophies, namely ivory, rhinoceros horn and falcon eggs, in violation of the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Instrumental in investigation leading to the arrest and conviction of members of the government's notorious "Fifth Brigade" for acts of genocide against the Matabele Tribe. Attempts to suppress the investigation by the government were overcome with the assistance of Amnesty International and support from international media, leading to the end of the government's purge against the Matabele people and members of the opposition political parties.

Law Officer in the Office of the Attorney General, (1979)

State Prosecutor

National Service, (1978 - 1979)

Military Intelligence.

Executive Secretary to Government Commission of Enquiry under the Chairmanship of the Chief Justice, (1977)

Ministry of Justice representative on Commission of Enquiry tasked to review and reform the legislation controlling legal education, procedures for admission and the rules of practice of the legal profession. The Report of the Commission led to substantial changes to legislation controlling the legal profession being implemented by the national Parliament.

Legal Assistant to the Secretary for Justice, (1976)

Liaison between Judicial and Executive arms of the Government with special responsibility for Petitions to the State President for clemency from long term and condemned prisoners, detention and release of the criminally insane, enforcement of international conventions and court orders of foreign sovereign territories, and served as Executive Secretary to the Prisoners Parole Board. Prepared memoranda and policy papers for approval by Cabinet of Ministers on issues related to capital crimes, the detention and release of the criminally insane, and legislative reform.

Clerk of Court, (1973 - 1975)

Court administration, including management of court finances and personnel.

**Seminars or
Conferences:**

International

- * Represented the International Council of Environmental Law (ICEL) at the 15th meetings of the Conference of Parties (COP15) to the United Nations Framework Convention on Climate Change. Copenhagen, Denmark. December 2009.
- * Represented the International Council of Environmental Law (ICEL) at the 12th meetings of the Conference of Parties (COP12) to the United Nations Framework Convention on Climate Change. Nairobi, Kenya, November 2006.
- * Represented the International Council of Environmental Law (ICEL) at the 11th meetings of the Conference of Parties to the United Nations Framework Convention on Climate Change. Montreal, Canada, November-December 2005.
- * Nominated to represent the International Council of Environmental Law (ICEL) at the International Meeting for the 10 Year Review of the Barbados Programme of Action. Mauritius. 10th to 14th January 2005.
- * Retained by the Climate Change Regional Project Implementation Unit of the Caribbean Community (CARICOM) Secretariat to prepare and present a paper on “*Climate Change Adaptation Policy: Caribbean Experience*” at the 7th Conference of Parties to the United Nations Framework Convention on Climate Change. Marrakech, Morocco, 30th October 2001.
- * Retained by the Caribbean Planning for Adaptation to Climate Change (CPACC) Regional Project Implementation Unit to present a paper on *Coral Reef Monitoring and Adaptation Policy Instruments* at the Regional Conference on Climate Change Adaptation and Coral Reef Monitoring Networks. Kingston, Jamaica, 27th June 2001.
- * Retained by the Natural Resource Management Unit (NRMU) of the Organization of Eastern Caribbean States (OECS) Secretariat to make a presentation on “*International and Regional Environmental Charters and Strategies*” at the Regional Conference convened to develop an *Environmental Charter* and *Environmental Management Strategy*. St. Johns, Antigua. 20-24 March, 2000.
- * Retained by the Legal Office of the OECS Secretariat to make a presentation at the Regional Meeting of Attorney’s General on the legal and institutional framework to manage solid and ship-generated wastes within the Eastern Caribbean Region and to implement the *International Convention for the Prevention of Pollution from Ships (MARPOL 73/78)*. Port of Spain, Trinidad and Tobago. May 4, 1999.
- * Retained by the Jamaica Ministry of Environment and Housing to act as Rapporteur and Facilitator at national seminar on “Legislative Frameworks for Sustainable Development in Jamaica” convened by the Jamaica Ministry of Environment and Housing, the Natural Resources Conservation Authority (NRCA) and the Office of the Attorney General. June 1998.
- * Accredited to represent the International Council of Environmental Law (ICEL) at the

Meeting of Experts Focusing on the 1985 Montreal Guidelines for the Protection of the Marine Environment from Land-based Sources of Pollution. Montreal, Canada. 6 to 10 June 1994.

- * Invited by the Conference Organizing Secretariat to chair and present the keynote paper at the NGO Forum Workshop on "Policy and Legal Instruments" during the United Nations Conference on the Sustainable Development of Small Island Developing States. Accredited to represent the International Council of Environmental Law (ICEL) during Conference deliberations. Barbados, West Indies, Caribbean. 24 April to 6 May 1994.
- * Invited by the Austrian Foreign Ministry to participate and present a paper at the International Symposium on "Sustainable Development and International Law". Baden bei Wein, Austria. 14 to 16 April 1994.
- * Invited by the International Union for the Conservation of Nature (IUCN) to participate and present a paper at the IVth World Congress on National Parks and Protected Areas, held in Caracas, Venezuela during the period from the 10th to 21st February 1992. Assisted in the drafting of the Declaration on Legal Mechanisms for Protected Areas which was adopted by representatives from the 115 countries attending the Congress and forwarded to the Organising Secretariat of the United Nations Conference on Environment and Development (UNCED).
- * Invited by the Cuban Comision Nacional para la Proteccion del Medio Ambiente y Conservacion de los Recursos Naturales (COMARNA) to participate and present a paper at the First International Conference on the Legal Protection of the Environment held in Havana, Cuba in November 1991. Assisted in the preparation and drafting of the Final Declaration, which was signed by representatives from 15 Central and Latin-American countries and forwarded to the Organising Secretariat of the United Nations Conference on Environment and Development (UNCED).
- * Participated as Legal and Technical Advisor to the Department of Environment at the Technical Conference for International Donor Agencies sponsored jointly by the World Bank, United Nations Environment Programme (UNEP) and United Nations Development Programme (UNDP), held in September 1990 to review the Environmental Management/Sustainable Development Plan of Seychelles prior to the international donors conference held in Paris, France in February 1991.

**Seminars or
Conferences:**

Canadian

- * Retained by the Department of Environment as rapporteur to convene and facilitate a seminar and prepare a technical report on "*Implementing ISO 14000 - Implications for Nova Scotia*". Halifax, Canada. October 1996.
- * Organiser and Chairman of technical seminar (via simultaneous video conference) presented in collaboration with the Association for Professional Environmental Auditing on "*Implementing ISO 14000 Standards*" convened by the Technical University of Nova Scotia (TUNS). Halifax and Fredrickton, Canada. September 1996.

- * Retained by the Nova Scotia Department of Environment to conduct a multi-stakeholder workshop and training session on the use of mediation in the environmental impact assessment process and for the contaminated site management. Halifax, Canada. June 1996.
- * Invited by the Department of Natural Resources to present a paper on "Private Stewardship as a Means of Conserving and Protecting Natural Resources" at the 1994 Atlantic Regional Stewardship Workshop. Amherst, Canada. November 8, 1994.
- * Invited by the federal Ministries of Justice and Environment Canada to co-chair and present a paper at the Symposium on "Emerging Issues in Environmental Law", convened in collaboration with the Canadian Bar Association (CBA). Ottawa, Canada. 29 April, 1994.
- * Organiser and Chairman of technical seminar presented for Department of Environment Legal Counsel, state prosecuting attorneys, defence attorneys, senior environmental managers and environmental technicians on the technical evidence for environmental litigation, convened by the Technical University of Nova Scotia (TUNS). Toronto, Canada. 24 to 25 January, 1994.
- * Represented the Department of Natural Resources (N.S.) at the Canadian National Conference on Private Conservancy, sponsored by Environment Canada, Wildlife Habitat Canada and the Environmental Law Centre. Edmonton, Canada. 13 January, 1994.
- * At the invitation of the Canadian Bar Association (CBA) participated and presented a paper as one of the panel of experts on international environmental law at the Annual General Meeting and Annual Congress of the Canadian Bar Association. Halifax, Canada. 26 August 1992.
- * Conducted a workshop in November 1991 for senior managers and regional programme directors from the Canadian International Development Agency (CIDA) to review and assess Bill C-13 (Canadian Environmental Assessment Act) in preparation for the drafting of Regulations for the Ministry of External Relations (Official Development Assistance) concerning enforcement and implementation of the Act particularly in respect of Canadian foreign development projects.

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Certification:

I certify that all the information stated in this resume is true and complete to the best of my knowledge.

Certified by:



George de Berdt Romilly

Name of Consultant
(signature over printed name)

2nd March 2010

Signed: George H. de Berdt Romilly

Date

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