

CIL International Conference
Transboundary Pollution: Evolving Issues of International Law and Policy
27-28 February 2014 - Orchard Hotel, Singapore

Closing Remarks by Professor S Jayakumar

Patron of the NUS Centre for International Law (CIL) and Chairman
of CIL's International Advisory Panel

Aim

The objective of this international conference was twofold:

- i. First, to review the evolving rules and principles of international law governing transboundary pollution.
- ii. Second, to raise awareness among regional governments of their rights and responsibilities under international law.

Overview

Therefore, this two-day conference examined the following issues:

First, we reviewed the international legal principles governing transboundary pollution.

Second, we explored the practical application of the state responsibility doctrine in the context of transboundary pollution.

Third, we looked at the international legal framework that addresses transboundary pollution of fresh water, transboundary pollution of the marine environment, nuclear pollution, and air pollution.

Lessons Learnt

The Co-Chairs, Tommy Koh and I, believe that we have achieved these objectives. We consider the following to be the main lessons from this Conference:

First, there are clear principles and rules under international law on the responsibility of states to prevent, reduce, and control transboundary environmental harm arising from activities within their territory, jurisdiction or control, and not to allow their territories to be used in a manner so as to cause significant harm to the territory of other States.

Second, there exists under international law a duty to cooperate, such as consulting each other, exchanging information, and working together, when there is a risk of significant transboundary harm.

Third, there remain some gaps in international environmental law on some aspects of transboundary pollution. For example, there is a need for clearer international rules and regulations applicable to transboundary air pollution and offshore activities.

Fourth, we need effective institutions and strong cooperative mechanisms to ensure enforcement and compliance with standards, rules and regulations. States in the region also need to work together to develop a more comprehensive and more integrated approach to prevent and combat transboundary pollution such as transboundary air pollution and nuclear pollution.

Fifth, states should implement existing international agreements and commitments relating to transboundary pollution. Effective implementation can be facilitated by international cooperation and capacity building.

Sixth, it is important for states to support ongoing regional efforts to address transboundary air pollution issues, such as through the ASEAN Haze Agreement and the proposed ASEAN Haze Monitoring System.

Follow-up

Moving forward, CIL will work with conference speakers to publish the papers presented at this conference.

Note of Thanks

Finally, the Co-Chairs, Professor Tommy Koh and I, wish to thank each and every person involved in making this Conference possible.

I would like to thank all speakers for your time and effort in writing your papers, preparing your presentation and contributing to the discussion at the Conference.

I would like to thank all participants for coming to this Conference and sharing your opinions.

I would also like to thank all CIL staff who have worked very hard to prepare this Conference:

- CIL Director Professor Beckman;
- CIL Deputy Director Dr Navin Rajagobal;
- CIL researchers Dr Hao Duy Phan, Yvette Anthony, Sun Zhen, Leo Bernard, Monique Page, and Ranyta Yusran;
- CIL's events team Gerry Ng and Jocelyn Cruz;
- CIL's student interns Subash Rengasami, Sarika Parmar, Maeve Lavelle, Geovenn Lim and Zhe Xu.

With this, I would like to bring the Conference to a close, and wish you a very nice weekend ahead.