

FOREWORD

The state of the global environment may be enhanced or diminished by many events. In April 2003, a “big picture” event was the military action in Iraq by the USA/UK led coalition forces. Although the action remains controversial, this event is likely to be productive of safer environmental conditions.

On a domestic scale, in December 2003, the New Zealand Centre for Environmental Law hosted, under the sponsorship of the United Nations Environmental Programme, a symposium for South Pacific Chief Justices. This symposium was aimed at capacity building for the judges in relation to the objectives of international environmentalism, in particular sustainable development. The conference was addressed by distinguished speakers, including Dame Sian Elias, the Chief Justice of New Zealand. The sessions confirmed the progression in many countries towards recognition of the objectives of sustainable development. The practical application of the environmental objectives could be seen to be cumulative on effective education of students, developers, politicians as decision makers, consultants, lawyers, and the judiciary.

This issue of the Journal endeavours to highlight areas where environmental law has progressed. The articles by Helle Anker and Ralph Chapman deal with water quality, and environmental policies in the European context. Alexander Gillespie considers the state of international environmental law in relation to air pollution. Regulation of tourism in Antarctica is covered by Kees Bastmeijer. Debra Donahue investigates the law relating to open space covenants in the New Zealand context. The protection of indigenous forests on private land is the subject of the work by Christina Voigt. Considering the Resource Management Act 1991, Asher Davidson looks at reverse sensitivity problems and the possibility of win-win solutions. Peter Fuller assesses the overall impact of the Act. Dr David Sinclair deals with public health law in the RMA context. David Grinlinton analyses foreshore and seabed law and policy, including claims by Maori to customary title.

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