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Since the establishment of the OGEES Institute, the *Journal of Sustainable Development Law and Policy* has been integral to the Institute's efforts to provide a platform for disseminating and showcasing recent, updated and cutting-edge research results and other work in progress by teaching and research scholars in Africa and across the world, specifically in the area of sustainable development law and policy. As Afe Babalola University, Ado Ekiti (ABUAD) continues its exponential growth and ascendancy as Africa's fastest growing University, the vision of the Founder-Aare Afe Babalola, OFR, CON, LL.D, D.Litt, SAN- is to build an extraordinary University that is remarkable not only in terms of its current luxuriant and grand infrastructure, but also rich in terms of scholarship, teaching, and research. Through the Founder's generous endowment and support, the OGEES Institute has continued to play its leadership role as a platform for scholarly exchange between African scholars and the rest of the world.

Published twice a year (June and October), the journal provides in-depth analyses on current and salient issues across broad areas of sustainable development law and policy, ranging from the economic, social and environmental dimensions. As such, papers that explore broad themes of sustainable development such as banking, agriculture, environment, natural resources, public private partnerships, alternative dispute resolutions, peace, and conflict studies are normally given top consideration. The Journal also presents research students in leading universities across the world, the opportunity to showcase their ongoing research and to publish energy-related articles. The Journal is made available for free download on-line and can be purchased in hard copy. The Editorial Board of the Journal, now composed of international development scholars and experts from Italy, United Kingdom, Indonesia, Nigeria, Canada and the United States provide scholarly insights and review for each and every article before selection.

This Fall 2013 issue continues the trend of providing meaningful value with excellent articles that address systemic threats to global sustainability. This issue contains 12 well-researched articles that provide something for everyone, whether a: farmer, economist, student, climate change administrator, legal practitioner, public analyst, civil servant, jurist, academician, or just someone interested in international sustainable development law and policy. The articles in this Issue pretty much partition themselves into three fundamental groups: sustainable agriculture and farming; commerce, financial regulations and public private partnerships; and fundamental human rights and the environment.

The Issue opens with a piece by **Melda Kamil Ariadno**, Associate Professor of International Law at the Faculty of Law, University of Indonesia. Dr. Ariadno

provides an exhaustive analysis of the impacts of haze pollution in Indonesia. Her article provides a comparative account of the domestic, regional and international regimes designed to combat haze pollution in Indonesia. Dr. Ariadno's excellent analysis of the legal framework on haze pollution in Indonesia could truly inform thoughts on how law and policy makers in Nigeria and Africa could combat haze pollution, by drawing from available legal best practices in Indonesia and by the ASEAN regional group. The issue of sustainability is further examined and discussed through an international lens by **Evgenia Pavlovskaja**, a Ph.D Candidate at the Law Faculty, Lund University, Sweden who questions whether the vast international rhetoric on sustainable development since the path-breaking elucidation of the concept by the Brundtland commission have truly resulted in practical implementation across all sectors including manufacturing, farming, banking, auto-industry and the oil sector. In her paper, which presents one of the most thorough exposition of the concept of sustainable development, Ms. Pavlovskaja asks "are we there yet?". **Laura De Deyne**, a PhD Candidate at the University of Hasselt, Belgium then provides a focused analysis and review of the concept of sustainable farming in Europe. Her paper provides an exhaustive analysis of the policies designed by the European Union to promote sustainable farming. This include a web of green agricultural subsidies that promote biodiversity; agro-environmental measures, less favoured area payments and cross compliance frameworks. Ms. De Deyne's paper provides a compelling account of how farmers could be encouraged through governmental incentives and policies to adopt sound and environmentally sustainable practices in farming.

This Issue also includes robust submissions on commerce, financial regulations and public private partnerships. Harvard trained expert and the Director of Policy and Project Development, Ministry of Infrastructure, Alberta, Canada, **Dr. Olufemi Vincent Tolani** in his paper, provides a high-level empirical analysis and study of risk allocation preferences in Public-Private Partnerships (PPPs) in Nigeria. Dr. Tolani's paper presents an in-depth study and an analogous conclusion on the preferences for risk allocation and transfer in PPP schemes. There is no doubting the importance of Dr. Tolani's empirical enterprise. As the paper rightly notes, by understanding risk allocation preferences of stakeholders and parties, governmental agencies and stakeholders may eliminate lengthy contract negotiations in PPPs. **Olumide Famuyiwa**, a College Lecturer and Doctoral Candidate at the Faculty of Law, University of Oxford then provides perhaps the most detailed examination and diagnoses of the legal and institutional causes of the crisis in the Nigerian financial system from 2008 to 2009. The highly expository and technically sturdy paper demonstrates why supervisory failure must be blamed for the Nigerian financial crisis. Mr. Famuyiwa conceives this failure as an incidence of sup-optimal enforcement of regulatory norms, induced by low or weak regulatory accountability, which provided the foundation for the inevitable financial collapse. For anyone thirsty for knowledge on why banks and financial institutions routinely fail in Nigeria, Mr. Famuyiwa's rich exposition will undoubtedly quench your thirst.

The influence and impacts of international law on commercial transactions are analysed and examined by two very distinct and well-researched papers. **Kenneth Ajibo**, a PhD Candidate at the Law School, University of Hull, United Kingdom curiously questions why Nigeria remains stuck in primordial times by not adopting the United Nations Conventions on Contracts for the International Sale of Goods (CISG), a globally recognized instrument that fosters harmonization and unification

of international commercial law. Mr. Ajibo provides a thorough and convincing account of the many benefits Nigeria stands to reap from adopting the CISG. Mr. Ajibo's efforts are excellently complemented by an outstanding joint paper by **Linimose Anyiwe** (University of Central Lancashire) and **Eghosa Ekhator** (University of Hull) which provides an extensive account of how international Dispute Settlement Understanding (DSU) of the World Trade Organization may provide effective dispute resolution tools for developing countries.

Core environmental and human rights themes are also explored in this Issue. **Gerard Kelly**, Law Lecturer at the University of Liverpool provides an erudite and perhaps one of the most detailed analyses of the history of the European Union's Emission Trading System (EUTS). Mr. Kelly describes as "norm entrapment", the complete policy shift within the EU that saw an instrument choice once condemned, to then later occupy its current central position in EU climate governance landscape. Mr. Kelly's detailed and easy-to-read historical account offer salient lessons for regional bodies (such as the African Union) and countries (such as Nigeria) that are considering the adoption of emission trading schemes. **Rufus Mmadu**, Lecturer, Osun State University (UNIOSUN) expertly examines the topical issue of supra-national jurisdiction over environmental pollution cases. He superbly discusses why the negative ruling in *Kiobel* by a US court ought to serve as a wake up call for environmental stakeholders on the need to look inwards in the search for environmental justice.

Social development and human rights issues are eruditely explored by **Dr. Ajepe Shehu**, Senior Lecturer, Department of Public Law, University of Ilorin. He discusses the financial, cultural and social impediments to the effective and efficient enforcement of social, economic and cultural rights in Nigeria. Dr. Ajepe's insightful paper seems to pair naturally with the article by **Ngozi Odiaka**, Lecturer, College of Law, Afe-Babalola University Ado-Ekiti. Mr. Odiaka provides a sombre and compelling discussion of the nature, scope and extent of human rights protection afforded to women under Nigerian domestic laws and under international law. Mr. Odiaka's article provides a uniquely excellent blend, by discussing the pre-existing cultural norms and the current societal injustices that ultimately asphyxiate the abilities of Nigerian women to meaningfully enjoy recognized fundamental rights. For those who have been following the "Senator Ahmed Sani Yerima and Stella Damasus Aboderin Exchange" on the issue of child marriage in Nigeria, Mr. Odiaka's erudite article would provide a timely and compelling read.

The Fall 2013 edition wraps up with a special feature article: a joint research paper presented by **Ms. Omolola S. Olarinde** (Associate Research Fellow, Energy Economics and Development, OGEES Institute) and **Dr. Damilola S. Olawuyi** (Director for Research, Training and International Development, OGEES Institute) at the first European Union Environmental Law Forum (EELF) Conference held on 4-6 September 2013, at Groningen, Netherlands.

As you can see from the foregoing preview, there is a wealth of good reading, thoughtful analysis, and helpful material in this Issue of the journal. The Fall 2013 Issue undoubtedly delivers on the Institute's promise to disseminate excellent, insightful and up-to-date scholarly work from scholars all around the world. May I therefore take this opportunity to invite readers, scholars and researchers from all over the world who have completed manuscripts on a topic appropriate for the journal to submit their work for possible publication in the next edition. Information

for submitting manuscripts can be found on our website, and in this journal. We also welcome direct email inquiries at: info@ogeesinstitute.edu.ng

With deep gratitude to the contributing authors and the Editorial Board of the Journal who have worked tirelessly to bring you this Issue, I invite you to turn the pages of this edition of the *Journal of Sustainable Development Law and Policy* and enjoy the scholarly value that the journal provides to its global readers.

Very truly yours,

Damilola S. Olawuyi | LL.M (Calgary), LL.M (Harvard), Ph.D (Oxford) |
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