



IUCNAEL Colloquium 2016

Side Events

MONDAY, June 20

09:00 – 11:00	Teaching Workshop Contact Persons: Sophie Riley and Maria Marques Banque	<i>Auditorium 4, Domus Academica (DA)</i>	09:00 – 13:00	Side Event UNESCO/NIVA Seminar: The effects of fragmented environmental law on sustainable development - Marine perspectives Contact Person: Froukje Maria Platjouw	<i>Forskningsparken Oslo Science Park, Gaustadalléen 21</i>
11:00 – 11:30	Break	<i>Frokostkjelleren</i>			
11:30 – 13:00	Teaching Workshop	<i>Auditorium 4,</i>			
13:00 – 14:00	Lunch	<i>Frokostkjelleren</i>			
14:00 – 16:00	Side Event Legal Aspects of Sustainable Development Contact Person: Volker Mauerhofer				<i>Auditorium 4, DA</i>
18:00	Social Programme Oslo Guide Bureau				



TUESDAY, June 21

09:00- **Research Workshop** Auditorium 4
11:00 Auditorium 6,
Contact Person: Paul Martin DA

11:00- **Break** Frokostkjelleren
11:30

11:30- **Research Workshop** Auditorium 4
13:00 Auditorium 6,
DA

13:00- **Lunch** Frokostkjelleren
14:00

14:00- **Side event** Auditorium 4,
16:00 From Environmental Law to Ecological Law DA
Contact Person: Klaus Bosselmann

10:00- **Side event** Stallen,
16:00 International Forum for Environmental Judges Professorboligen

George Pring, Emeritus Professor
Justice Satanter Kumar, Chairperson National Green Tribunal India
Justice Brian Preston, Chief Judge, Land and Environment Courts of New South Wales
Justice Antonio Benjamin, Superior Court of Justice, Brazil
Justice Samson Okong’o, Environment and Land Court of Kenya
Judge Merideth Wright, Vermont Environmental Court, USA
Judge Richard Jones, Planning and Environment Court of Queensland
Jan Darpö, Professor, Uppsala Univeristy
Ben Boer and *Wu Yu*, Emeritus and Assistant Professor(s), Wuhan University Law School
Ceri Warnock, Associate Professor, University of Otago
Judge Laurie Newhook, Principal Environmental Judge, Environmental Court of New Zealand

Contact Persons:
Laurence Newhook and Ceri Warnock

Sponsored by Centre for International Governance Innovation (CIGI)

16:00- **Break**



16:30 <i>Frokostkjelleren</i>				
16:30- 18:30	Research Committee Meeting	<i>Auditorium 6, DA</i>	Side event Limiting dangerous climate change– The Emerging Importance of Domestic Courts and Human Rights Tribunals– Especially after Paris <i>Roger Cox, Attorney, The Netherlands</i> <i>Honorary Syed Mansoor Ali Shah, Judge, Lahore High Court Green Bench</i> <i>Andrea Rodgers, Attorney, Our Children’s Trust plaintiffs</i> <i>Zelda dT Soriano, Attorney, Philippines</i> Sponsored by Centre for International Governance Innovation (CIGI) Contact Person: David Estrin	<i>Gamle Festsal, DA</i>
	Teaching Committee Meeting	<i>Auditorium 4, DA</i>		
18:00	Social programme <i>Oslo Guide Bureau</i>			

IUCN AEL Colloquium 2016

WEDNESDAY, June 22

09:00 –	<u>Opening Ceremony</u>	<i>Aula, Domus Media (DM)</i>
10:00	<u>Chair:</u> <i>Christina Voigt</i> , Professor, University of Oslo, PluriCourts <i>Vidar Helgesen</i> , Minister of Climate and Environment, Norway <i>Dag Michalsen</i> , Dean, Faculty of Law, University of Oslo <i>Yves Le Bouthillier</i> , IUCNAEL Secretariat, University of Ottawa <i>Nilufer Oral</i> , Chair IUCNAEL <i>Alejandro Iza</i> , Head of the Environmental Law Programme, Title TBC	



Video Introduction to the IUCN Academy of Environmental Law

10:00 – **Plenary session**

Aula, DM

11:00 Chair: Koh Kheng Lian, National University of Singapore

Aage-Thor Falkanger, The Parliamentary Ombudsmann, Norway

Nicholas A. Robinson, Pace University School of Law, Title TBC

Justice Brian J. Preston, Land and Environment Court of New South Wales, “The Judicial Development of Ecologically Sustainable Development”

11:00 – **Break**

Frokostkjelleren

11:30

11:30 – **Breakout Session 1**

13:00

Environmental Protection and Human Rights Approaches

Auditorium 4, DA

Chair: Tom Baxter (TBC)

Tom Kerns, “An International Tribunal on the Human Rights Impacts of Fracking: Its Structure, Groundings and Purposes”

Sumudu Atapattu “Adjudicating Climate Change: How useful is the human rights framework?”

Marie-Catherine Petersman “The integration of environmental protection in the human rights adjudication of the CJEU: a conflict based approach”

Evadne Grant “Resolving environmental disputes in Human Rights Courts: Problems and Prospects”

Jing Zhang “Right to Health and Nature Conservation – A Study on Selective Cases”

Climate Change and Courts 1

Auditorium 5, DA

Chair: Justine Bell-James

Kurt Winter “The Paris Agreement: new legal avenues to support a transboundary harm claim on the basis of climate change”

Antonio La Viña, Cecille Therese Guiao, Railla Veronica Puno, Joyce Melcar Tan “International and Domestic Law on Climate Change: Compliance Issues from a Developing Country Perspective”

Lisa Benjamin, Rueanna Haynes, “International Facilitation and national implementation: Developing countries and a novel implementation and compliance mechanism under the Paris Agreement”

Antonio Oposa “Climate Justice for Future Generations”

Massimiliano Montini, “How to resolve climate change related "internal environmental conflicts"”



Environmental Adjudication in International Courts

Chair: Merideth Wright

Ruby Moynihan "The relevance of international courts and tribunals to cross-fertilization and environmental protection in international law on transboundary water cooperation"

Jorge Cabrera Medaglia "Sustainable Development Principles and Implications for the international sustainable development law in the International Court of Justice decision in Costa Rica v. Nicaragua cases"

Andrew Lowenstein "The Adjudication of Claims Concerning Environmental Impact Assessment Before International Courts and Tribunals"

Ana Carla Vasco de Toledo, Luis Fernando Cabral, "Environmental international law and the greening of the international court of justice on Gabickovo/Nagymaros"

*Theologisk
Eksamenssal, DA*

The Environment in Domestic Courts

Chair: Helle Tegner Anker

Holly C. Jonas "The Rising Green Tide: Charting the development of an environmental court in Sabah, Malaysian Borneo"

Domenikco Amirante, "Environmental Judges in comparative perspective: Lessons to learn from the National Green Tribunal of India"

Ana Maria Nusdeo, Carlos Alberto Salles, "Environment and litigation: Prospects and limits from the Brazilian experience"

Godwin Dzah, "Environmental Rule of Law, Environmental Justice and the Courts in Ghana"

Marcia Fajardo Cavalcanti de Albuquerque, "The challenge of ensuring food safety in Brazil: The fight against pesticides in court"

Auditorium 6, DA

Environmental Rule of Law

Chair: Jamie Bendickson

Niko Soininen, "Rule of Law and Judicial Obligation to Give Reasons in Environmental Disputes"

Zen Makuch, "Environmental Constitutionalism, Rights and the Environmental Rule of Law"

Rafael Gonzales Ballar, Title TBC

Klaus Bosselmann, "The Environment In Court: Ecological sustainability as an adjudicatory norm"

Rosa Manzo "Building the Environmental Rule of Law: Equity as a Constitutional Environmental Principle"

Auditorium 14, DB

The Courts' Role in Sustainable Development

Chair: Susana Borrás

Robert Kibugi, "Environmental Jurisprudence in Kenya: Reviewing how special courts apply law and the constitution to

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Professorboligen*



protect norms of sustainable development”

Kazuki Hagiwara, “Good faith and sustainable development in international law”

Sunil Asopa, Neelam Kadyan, “Environment versus development”

Laurel Besco, “Green Economy Literacy for Judges”

John A. Boyd, “Natural and anthropogenic disasters in Court: protection and recovery of the environment, including the atmosphere and climate change”

Courts and Environmental Activism

Chair: Anél du Plessis

Mahito Shindo, “Environmental ombudsman: its role in the system of review on the appropriateness of administrative environmental decision-making”

An Cliquet, “Activism in the courtroom: judges telling governments to act now!”

Jenny Hall, “The impact of South African courts on environmental decision-making”

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13:00 – **Lunch**
14:00

Frokostkjelleren

14:00 – **Breakout Session 2**
15:30

The Relationship between Indigenous Rights and the Environment

Chair: Jan Glazewski

Rachel Pepper, Lauren Butterly, “Are Courts Colour Blind to Country? Indigenous Rights, Environmental Law, and the Australian Judicial System”

Miguel E. de Araujo, Renata Meda, “The conflict between the implementation of environmental protected areas and maintenance of traditional populations from the perspective of Brazilian courts”

Natalia Stoianoff, “Resolving disputes over custodianship of traditional ecological knowledge”

Kylie Lingard, Marcia Leuzinger, “The contribution of courts to the recognition of indigenous and local people’s rights in natural environments: lessons from Brazil and Australia”

Carla Sbert, “Amparos by Indigenous Communities against Mining Concessions in Mexico: Implications for a Transition to Ecological Law”

Auditorium 4, DA

Climate Change and Courts 2

Chair: Carmen G. Gonzalez

Auditorium 5, DA



Randall S. Abate, “Atmospheric Trust Litigation in the United States: Pipe Dream or Pipeline to Justice for Future Generations?”

Jaqueline Hand, “Attacking Climate Change Through Strategic Public Trust Litigation”

Rosemary Lyster, “Climate science, economic rationalism and the Courts”

Susana Borràs Pentinat, “Seeking justice in times of climate change crisis? Civil Society at the crossroads”

Darren Prum, Kathryn Kisska-Schulze, “The environmentally conscious skies: did the European Union’s game of brinkmanship lead to a viable global plan for emissions trading in aviation?”

Experiences from Environmental Courts

Chair: Massimiliano Montini

Denise Antolino, “The New Hawaii Environmental Court: Building the Enforcement Toolkit for Fisheries and Coral Reef Violations”

Anders Bengtsson “Swedish Environmental Courts – specialized civil and administrative courts”

Balraj Sidhu, “Quest for “Greening Justice”: A Case of National Green Tribunal in India (NGT)”

Laurence John Newhook, “Effectiveness and legitimacy of dispute resolution in the New Zealand Environment Court, proposals for policy change, scope for improvement, and potential obstacles”

Robert Percival, “The Top Judicial Decisions in the History of Global Environmental Law”

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Environmental Principles

Chair: Tianbao Qin

Solange Teles da Silva, Fernanda Salgueiro Borges, Mauricio Duarte, “Marine protected areas and the effectiveness of the precautionary principle: the contribution of Brazilian Courts”

David VanderZwaag, “The Precautionary Approach in Canadian Courts and Tribunals: Progressions and Depressions”

Kleoniki Pouikli, “Towards an extended version of the “Polluter Pays Principle” in the light of the CJEU Case Law regarding Environmental Liability”

Auditorium 6, DA

Recent Developments in Environmental Litigation

Chair: Jordi Jaria I Manzano

Bahram Amanollahil, “Environmental protection in Iranian courts”

Jose Leite, Marina Venacio, “Environmental protection in Brazil's superior court of justice: highlights of the national jurisprudence”

Yinan Tu, “Chinese air pollution cases and public support for environmental courts”

Xhezair Zaganjori, “The role of the courts in national and international environmental law”

Auditorium 14, DB



Catherine McGrath, "International Application of Market Share Liability"

Access to Justice Around the World

Chair: Michael Kidd

Lee Paddock, "Citizen Pathways into Courts to Address Sustainability Challenges: What we can learn from the United States Experience"

Nora Ho Tu Nam, "Inviting civil society to the table: the case of the African Commission"

Willemien du Plessis, "Legal privilege, freedom of expression and the public interest in the protection of the environment: a legal conundrum in South Africa?"

Eloamaka Okonkwo, "Assessing the Role of the Courts in Enhancing Access to Environmental Justice in Nigeria"

Koh Kheng-Lian, "The Environment in Court and Questions of Legitimacy - Promotion of UN Post-2015, SDG 16: 'Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective accountable and inclusive institutions at all levels.' The Role of ASEAN"

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Broader Human Interest in the Environment

Chair: Elizabeth Kirk

Erin Daly, "Environmental Dignity Rights in Constitutional Tribunals"

Dina Townsend, "The human/environment relationship and its impact on the legal reasoning of courts"

Saskia Vermeylen, "Ecology and Law in the Anthropocene: Examining how the wholeness of the Earth is being protected in national and regional courts"

Trevor Daya-Winterbottom, "The legitimate role of rights based approaches to Environmental Conflict Resolution: a trans-national New Zealand perspective"

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15:30 – **Break**
16:00

Frokostkjelleren

16:00 – **Breakout Session 3**
17:30

The Role of International Investment Arbitration in Environmental Protection

Chair: Louis J. Kotze

Malcolm Langford, Daniel Behn, Ole Kristian Fauchald, "The greening of investment treaty arbitration: the role of arbitrators"

Chrysa Alexandraki, "The potential contribution of international investment arbitration in combating climate change"

Auditorium 4, DA



Maksim Usynin, "The fall of Icarus: How States attract renewable energy investment claims"

Jason J. Czarnecki, "Green Public Procurement: Promoting Environmental Interests in the USA and EU"

Issues of Legitimacy

Chair: Luc Lavrysen

Svitlana Romanko, "The main features and perspectives of judicial protection of environmental rights in Ukraine according to Principle 10 of Rio Declaration on environment and development"

Brian Preston, Amanda Kennedy, Paul Martin, "Bridging the gap between aspiration and outcomes: The role of the court in ensuring ecologically sustainable development"

Alicja Sikora, "Principle of high environmental protection as a yardstick for judicial review of EU measures before EU Courts"

Delphine Misonne, "The Court of Justice of the European Union and its Contribution to Promote a High level of Environmental Protection"

Elizabeth Gachenga, "The legitimate role of human rights courts in environmental disputes and environmental courts in human rights claims: the Kenyan experience"

Auditorium 5, DA

Legal Tools in Environmental Courts

Chair: Yves Le Bouthillier

Nicola Pain, Rachel Pepper, "Restorative justice for environmental crime"

Yanti Fristikawati, "Alternative Dispute Resolution of Environmental cases in Indonesia"

Justine Bendel, "Preventive protection of the environment through provisional measures procedures: an instance for judicial creativity"

Pierre Cloutier de Repentigny, "Curial Deference in Canadian Environmental Law – In Search of a New Approach"

Daniel Bosworth, "The Standards Governing the Admission of Expert Witness Testimony and the Role that Expert Witnesses Play in Environmental Cases Globally"

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Studies of Access to Justice in EU Member States

Chair: Jolene Lin

Wolfgang Koeck, "Access to Justice in Environmental Matters in Germany. The judgment of the Federal Administrative Court from 5 September 2013: a milestone for the development of environmental legal protection"

Emilie Chevalier, "Environmental protection stopped at the court's door? The example of French administrative case-law"

Zaneta Mikosa, "Access to justice in environmental matters through Actio popularis in Latvia"

Katja Rath, "EU secondary legislation and international agreements – the withdrawal of the ECJ from international"

Auditorium 6, DA



environmental law”

Wilderness and Species Protection

Chair: Frank Maes

Jonathan Liljeblad, “Jurisdictional Issues in Myanmar Court Prosecution of Wildlife Crimes under the Convention on International Trade of Endangered Species (CITES)”

Sophie Riley, “Wildlife in Court: Lessons from Australia on Legal and Ethical Gaps in Controlling Problem Wildlife”

Melanie Murcott, “Setting aside South Africa's rhino horn trade moratorium: consequence of the proceduralisation of environmental rights cases?”

Ashleigh Dore, Tracy-Lynn Humby, “Upping the ante: the use of private prosecution to target wildlife offences in South Africa”

Auditorium 14, DB

Questions of Standing and Collective Litigation

Chair: Maria Marques Banque

Everaldo Lamprea, Angela Maria Paez, Catalina Vallejo, “Collective environmental litigation in Colombia: An empirical study”

Rasyidah Khalid, Faridah Jalil, Rohimi Shapiee, Mazlin Mokhtar, “Should trees have standing in Malaysia? A federalism perspective”

Barbara Pozzo, “Liability for environmental harm and legal standing issues: a comparative law perspective”

Andri Wibisana, Thomas Dewaranu, “Environmental Damage and Liability in Indonesia: New Rules under Conventional Courts”

Ngozi Finette Stewart, “Is Nature's Locus Standi at The Mercy of Utilitarianism? Reasoning an Ethical Restructuring of Environmental Adjudication”

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Corporate Environmental Accountability

Chair: Volker Mauerhofer

Virginie Rouas, “Holding multinational enterprises to account for environmental damage abroad: comparative analysis of domestic litigation in Europe”

Wei-Chung Lin, “Insights from the Compliance Advisor Ombudsman (CAO)”

Bingyu Liu, “Multinationals' Environmental Accountability and the Rule of Law: Adjudicating the Future through International Law”

Arie Afriansyah, “Legal Enforcement and Environmental Protection in the case of Transboundary Haze Pollution : Indonesia's Efforts and ASEAN Legal Mechanism”

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Maria Augusta Leon Moreta, "The Challenge of Bringing to Justice Transnational Corporations for Environmental damages : Case of Study Texaco Oil Company and Chevron vs Lago Agrio"

17:30 – **Break**
18:00

Frokostkjelleren

18:00 – **Distinguished Speaker and Guest of Honour: Jørgen Randers, Professor, Norwegian Business School**
19:00

Gamle Festsal

Jørgen Randers is Professor of Climate Strategy at the BI Norwegian Business School. He co-authored "The Limits to Growth" and has been working on issues of climate change for more than 40 years.

20:00 **Reception**

Oslo City Hall

THURSDAY, June 23

09:00 – **Plenary session**

Gamle Festsal

11:00 Chair: *Laurence John Newhook*, Environment Court of New Zealand

Melissa K. Scanlan, Vermont Law School, "The Role of the Courts in Guarding Against Privatization of Important Public Environmental Resources"

David Hodas, Widener University, "U.S. Climate Change Adjudication: The epic journey from a petition for rulemaking to national greenhouse gas regulation"

Jane Dwasi, National Environment Tribunal, Kenya, "Environmental governance for the common good through dispute resolution : The example of Net, Kenya"

Lisa Chamberlain, The University of Witwatersrand, Title TBC

Merideth Wright, Environmental Law Institute, "Towards a Compendium of Remedies for Judges to Order in Environmental Cases"

Christina Pak, Legal Counsel of Asian Development Bank, "Strengthening the Capacity of the Asian Judiciary and Academia in Environmental Law."

11:00 – **Break**
11:30

Frokostkjelleren



11:30 – **Breakout Session 4**
13:00

Constitutional Theory and the Environment

Chair: Paul Martin

Louis J. Kotze, "South Africa's environmental in court: a 20 year retrospective"

James May, "The Environment in Court Environmental protection in national and international courts, tribunals, and compliance mechanisms : Constitutionalized sustainability in Courts"

Paula Galbiatti Silvera, "Dialogue between courts: The transconstitutionalism theory on the protection of the environment"

Jordi Jaria I Manzano, "Plural constitutionalism and environmental justice - the role of the courts"

Auditorium 4, DA

Climate Change and Courts 3

Chair: Marjan Peeters

Melissa Powers, "Standing and Climate Change: Recovering Lost Ground in the Fight to Obtain Access to the Court"

Diogo Andreola Serraglio, Heline Sivini Ferreira, Rullyan Mendes, "Activity of the Brazilian judiciary in the Amazon and Cerrado Biomes aimed at combating global warning"

Otto Spijkers, "The Urgenda case, a successful example of public interest litigation for the protection of the environment?"

Sharon Mascher, "Canadian Courts and Climate Change: Rising to the Challenge"

Michael H. Dworkin, "Success at Scale: Judicial and Administrative Reviews of Three Key Decisions "

Auditorium 5, DA

Specialist Environmental Courts

Chair: Laurence John Newhook

Ceri Warnock, "Reconceptualising Specialist Environment Courts and Tribunals"

David Grinlinton, "Integrating Sustainability into the Judicial Process: The Role of Specialist Environment Courts"

Tracy Hester, "Does environmental law develop differently in specialized tribunals such as India's"

Helle Tegner Anker, "Pros and cons of administrative environmental tribunals – Danish experiences"

Nawneet Vibhaw, "From green bench to green tribunal: The plight of environmental courts in India"

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Non-Environmental Avenues to Environmental Outcomes

Chair : Jose Leite

Murombo Tumai, Munyuki Isaac, "The effectiveness of plea and sentence agreements in environmental enforcement in South Africa"

Philippa England, "How do Australian courts deal with planning appeals involving development on flood prone land?"

Auditorium 6, DA



Anél du Plessis, "Courts, municipal authority and the pursuit of sustainable cities: Reflections from South Africa"

Citizen Involvement and Public Interest

Chair: Heather McLeod-Kilmurray

Yuhong Zhao, "Environmental adjudication in China - development in environmental courts and public interest litigation"

Kars de Graaf, Albert Marseille, "Evaluating the effectiveness of environmental litigation by NGOs in the Netherlands. Normative observations and empirical data on judicial review"

Yanmei Lin, "An Analysis of China's Civil Environmental Public Interest Litigation"

Jolene Lin, "Urgenda v the Netherlands - the Potential and Limitations of Climate Litigation"

Jolene Lin, "Urgenda v the Netherlands - the Potential and Limitations of Climate Litigation"

Auditorium 14, DB

Cultural and Environmental Heritage

Chair: LeRoy Paddock

Stefan Gruber, "The role of courts, standing and public participation in cultural heritage protection in Asia"

Lucas Lixinski, "Enforcing and Implementing International Heritage Law: Judicial Perceptions of the Environmental and Cultural Goals of Heritage in Tension with Community Aspirations"

Evan Hamman, "A toothless tiger? Issues of non-compliance with the World Heritage Convention: The influence of non-state actors and the threat of the List of World Heritage in Danger"

Maria Papaionnou, "Cultural Environmental before regional human rights courts"

Stallen,
Professorboligen

Fire

Chair: David VanderZwaag

Idowu Adegbite, "Decades of litigating gas flaring in Nigeria"

Nadia Astriani, "Environmental litigation in Indonesia: Forest fire case"

Cynthia Xinhong Wang, "Suing the incinerators in Chinese court"

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13:00 – **Lunch**

14:00

Frokostkjelleren

14:00 – **Breakout Session 5**

15:30

Human Rights and the Environment in the African Context

Chair: Amber Prasad Pant

Oliver Windridge, "Survival in the 21st century: the protection of peoples, their land and environment at the African"

Auditorium 4, DA



Commission and African Court on Human and Peoples' Rights”

Moustapha Fall, “The Environmental right’s protection before the African Courts of justice: ECOWAS Court of Justice, East African Court of Justice”

Taiwo Odumosu, “Trends in Nigeria and attitudes of courts to cases on environment”

Trade and Environment

Chair: Daniel Behn

Christiane Derani, *Arthur Dalmarco*, “Silent implications of US-Tuna II: how a shift in the relationship between international trade and environmental law might affect the perception and behavior of market agents”

Andri Wibisana, *Windy Pratitya*, “Trafficking of Endangered Species in Indonesia: Some Notes on Indonesia’s Legal Responses to the Increased Illegal Trade of Endangered Species ”

Jessica Owley, “When New Governance Enters the Courthouse: Judicial Interpretation of Environmental Contracts”

Auditorium 5, DA

An International Environmental Court?

Chair: Susana Borràs (TBC)

Amado Tolentino, “International Environmental Adjudication: Strengthen Existing Institutions/Processes or Create a World Court for Environmental Protection?”

Matthew Gillett, “The Environment as a victim before the international criminal court”

Tara Smith, “International Criminal Prosecutions for Environmental damage caused during armed conflicts”

Theologisk

Eksamenssal, DA

The Environment and the Law of the Sea

Chair: Melissa Powers

Renan Caseiro de Almeida, *Valesca Raizer Borges Moschen*, “Civil Liability and Repairs of Environmental Damages Caused by Pollution of the Sea with Oil – Perspectives of Courts in Brazil and the International Tribunal for Law of the Sea”

Xiaoyi Jiang, “Marine Environment and Adjudication of the International Tribunal for the Law of the Sea (ITLOS)”

Laura Lallier, “Back to the future. Seabed Dispute Chamber's advisory opinion: what contributions to seabed mining legislation five years later?”

Auditorium 6, DA

Compliance Mechanisms in International Environmental Law

Chair: Petra Humlickova

Hendrik Schoukens, “Environmental democracy before the EU courts after the rulings of 13 January 2015: between pathological stubbornness and irrational optimism?”

Mariolina Eliantonio, “The environment before the EU courts: a Tale of Uneasy Bedfellows”

Auditorium 14, DB



Gor Movsisyan, "The impact on domestic legal systems of compliance mechanisms under multilateral environmental treaties"

Emily Barritt, "The Adjudicative 'Web' of the Aarhus Convention"

Eduardo Salazar Ortuno, "Lessons learned: The effectiveness of the Aarhus convention compliance committee after the first and second Spanish cases"

Water Regulation

Chair: Sophie Riley

Rebecca Bates, "Water Services and the WTO: An exploration of future disputes"

Tiina Paloniitty, "The Weser Case of the European Court of Justice- The Role of Formalism in meeting the Sustainability Goals"

Nicholas Schroeck, "Multijurisdictional response to Lake Erie Algae: International, Federal, State and Provincial legal strategies for combating nutrient pollution in the Great Lakes"

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Non-Compliance

Chair: Alexander M. Solntsev

Jennifer Dubrulle, "Not a paper tiger, but a wily lynx: the evolving potential of the (non-)compliance mechanisms of the Bern Convention on European Wildlife Conservation"

Anna Huggins, "A Teleological Nexus: Global Administrative Law and the Rule of Law in the Montreal Protocol's Compliance System"

Zerrin Savasan, "Compliance mechanisms under multilateral environmental agreements: case of Montreal protocol"

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15:30 – **Break** *Frokostkjelleren*
15:45

15:45 – **Collegium** *Auditorium 4* 16.00-18.30 **Global Judicial Institute for the Environment** *Juridisk*
17:00 Invited participants only *Eksamenssal*

Contact Person: Antonio Herman Benjamin

17:00 – **Graduate Student Forum** *Stallen,
Professorboligen*
18:30

19:00 **Colloquium Dinner** *Lofoten Fiskerestaurant*



FRIDAY, June 24

09:00 – **Plenary session**

11:00 **Chair:** *Nicholas A. Robinson*, Pace University School of Law

Gamle Festsal

Beate Sjøfjell, University of Oslo, “Environmental Integration as a Road to Sustainability? The Court of Justice of the European Union and the Environmental Integration Rule in Article 11 TFEU”

Jacqueline Peel, Melbourne Law School, and *Hari Osofsky*, University of Minnesota Law School, “Climate Change Litigation as a Mitigation Tool: A Comparative Assessment of Impact and Effectiveness in the United States, Australia, and Europe”

Farhana Yamin, University College London, “The Role of Lawyers in Speeding Up Climate Action pre-2020: 4 Suggestions to Shift Tracks and Create New Collaborations in Support of the Paris Agreement”

Christina Voigt, University of Oslo, PluriCourts, “The Paris Agreement and domestic courts”

Mahesh Chandra Mehta, MC Mehta Environmental Foundation, Title TBC

Eva Duer, UNEP, “INFORMEA”

11:00 – **Break**

11:30

Frokostkjelleren

11:30 – **Breakout Sessions 6**

13:00

Green Judges and Judicial Activism

Chair: *Dina Townsend*

Lynda Collins, “The role of Canadian courts in environmental protection: towards a new vision of sustainable stewardship”

José Juan González Marquez, “Contribution of judiciary to development and implementation of environmental law in Mexico”

Tushar TKanti Saha, “Judicial Creativity protecting the Environment through Public Interest Litigation (PIL) in Indian Jurisprudence”

Stellina Jolly, “Procedural and substantive innovations propounded by Indian judiciary in protecting environment: A legal analysis”

Transnational Environmental Crimes

Chair: *Jaqueline Peel*

Yetty Komalsari Dewi, *Anbar Jayadi*, “Enhancing corporate responsibilities to fulfill the rights to clean environment: A lesson learned from Indonesian court”

Auditorium 5, DA

*Theologisk
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Luciano Butti, "The Cost Of Environmental Protection Under International And High Courts Scrutiny Worldwide"

Maria Marques Banque, Antoni Pigrau, "Bringing environmental crimes to court under the active personality principle and the universal jurisdiction principle in Spain"

Daniel Iglesias, Antoni Pigrau, "Measuring the feasibility of civil litigation and criminal prosecution against EU-based multinational corporations for environmental damage abroad."

Jan Glazewski, "United States v Bengis: a court victory for wildlife law"

Science and Uncertainty in Litigation

Chair: Atsuko Hirose

Volker Mauerhofer, "Dealing with Ignorance and Uncertainty: Decision Making by the Court of Justice of the European Union on the example of biodiversity conservation"

Nertila Kuraj, "REACHing for scientific expertise? An analytic account of the CJEU approach to highly technical cases under the European chemicals law"

Marjan Peeters, "Climate Science in the Courtroom: About the power to decide climate change law"

Tracey R. Kanhanga, "Scientific Uncertainties: A nightmare To Environmental Law Adjudicators"

Auditorium 6, DA

Comparisons between Domestic Courts

Chair: Klaus Bosselmann

Nikolai Kichigin, Olesandra Chornous, "Protection of Environmental Rights in Courts in Russia, Kazakhstan, and Ukraine"

Ria Guidone, "A Review of Environmental Courts and Tribunals: for CSOs and the judiciary"

Clara Maria Minaverry, "Latin American Environmental courts updates. The cases of Argentina and Chile"

Valmaine Toki, "Strengthening an International Environmental Rule of Law – could adopting a New Zealand Environment Court perspective provide a model for international adjudication?"

Zhuoxian Zhang, "What Chinese Courts Could Learn From the U.S.: The Approach of Public Interest Litigation under China's New Environmental Protection Law"

Auditorium 14, DB

Environmental Cases and Constitutional Courts

Chair: John A. Boyd (TBC)

Marina Venâncio, Giulia Mancini Pinheiro, "Disastrous Events and State Civil Liability for omissive conducts in Brazil's Superior Court of Justice case-law"

Michael Kidd, "Access to justice in environmental cases in South Africa"

Yves Le Bouthillier, "Environmental law at the Supreme Court of Canada"

Rafael Asenjo, "Development and experience of the first three years of the Environmental Court of Santiago Chile" (TBC)

*Stallen,
Professorboligen*



Water Rights

Chair: Willemien du Plessis

Lara Cortes, Bruce Wilson, "Litigating environmental rights in Latin America: Does the right to water strengthen environmental protection?"

David Takacs, "South Africa and the human right to water: Equity, ecology and the public trust doctrine"

Jennifer McKay, "Lessons learned from water resources litigation in domestic legal systems- The case of the Environment Resources and Development court in South Australia"

Loft,
Professorboligen

Side Event: European Environmental Law Forum Panel, An Ever Lonelier Court in an Ever Closer Union

Lorenzo Squintani, University of Groningen/Managing Board EELF

Luc Lavrysen, University of Gent/Judge Belgian Constitutional Court

Jurian Langer, University of Groningen

Jerzy Jendroska, Opole University/member ACCC

Contact Person: Lorenzo Squintani

Auditorium 4, DA

13:00 – **Lunch**
14:00

Frokostkjelleren

14:00 – **Breakout Sessions 7**
15:30

Class and Public Action

Chair: Amanda Kennedy

Cristy Clark, "The politics of public interest environmental litigation: lawfare in Australia"

Brieannah Schwartz, "Should the environment have standing? Justice for the environment in international courts"

Guy Jules Kounga, "The nature of the environmental procedure and litigation in Cameroon"

Alena Kodolova Vladimirovna, "Environmental class actions in the Russian Federation: problems and perspectives"

Auditorium 4, DA

Climate Change and Courts 4

Chair: Farhana Yamin

Endrius Cocciolo, "Climate Change and Energy Transition Before the Courts: Challenging Legal Categories"

Lawrence Watters, "Recent decisions and emerging jurisprudence in US courts in Climate Change"

Auditorium 5, DA



Justine Bell-James, Sean Ryan, "Climate change litigation in Queensland, Australia: a case study in incrementalism"
Bjørn-Oliver Magsig "Solidarity as the mainspring of state responsibility for climate change: towards an Advisory Opinion from the International Court of Justice"

International Environmental Law in Domestic Courts

Chair: Rafael Gonzales Ballar

M. Yao-Ming Hsu, "Role of international environmental law in Taiwan courts: voluntary implementation of a non-contracting party"

Tom Baxter, "Courts' Roles in Implementing International Environmental Law in Domestic Cases"

Musa Shongwe, "The direct applicability of international environmental law in national courts: lessons from Southern African Jurisprudence"

Antônio Carlos Diniz Murta, Elcio Nacur Rezende, "The Mariana tragedy in Brazil and the role of the judiciary power before the Brazilian domestic and international environmental degradation. The conflict between the Brazilian State and Federal Jurisdictions and International Law"

*Theologisk
Eksamenssal, DA*

Human Rights and the Environment in Domestic Courts

Chair: Evadne Grant

Tokuma Daba Amogne, "Judicial Enforcement of Environmental Rights in Ethiopia"

Grazia Scocca, "A human right to a healthy environment: how far?"

Theo Marés de Souza, "The teachings of a landmark ruling by the Brazilian Supreme Court about indigenous land"

Carmen G. Gonzalez, "Environmental Racism, U.S. Courts, and International Tribunals"

Auditorium 6, DA

Joint session: Environmental Constitutionalism and Armed Conflicts

Chair: Jaqueline Hand

Alexander M. Solntsev, "The role of the constitutional court of the Russian Federation in the development of environmental law"

Pantelina Emmanouilidou, "The environment in the Greek Supreme Court"

Eliana Cusato, "Addressing the Environmental Impact of Natural Resources Exploitation in Times of Armed Conflict. An analysis of the Practice of International Courts and UN"

Natalia Orduz, Edwin Novoa, "Is traditional justice in developing countries an opportunity to protect the environment harmed by armed conflicts."

Auditorium 14, DB



Domestic Environmental Jurisprudence

Chair: Yanti Fristikawati

Heather McLeod-Kilmurray, "The Shield of "Indeterminate" Liability: Tearing Down Policy Barriers to Negligence in Environmental Cases"

Rachel Jones, Joss Douglas, "How courts deal with purpose provisions in environmental law in Queensland legislation"

Jared Sousa, "The Achilles Heel of U.S. Environmental Regulation?"

Manuel Solis, "Human Rights, Energy Access and Legal Redress: Perspectives on the Role of the Philippine Supreme Court"

Stallen,
Professorboligen

15:30 – **Break**
16:00

Frokostkjelleren

16:00 – **Presentation of the next colloquium**
16:10

Aula, DM

16:10 – **Plenary Session**
16:40 Chair: Nilufer Oral, Chair IUCNAEL

Oran Young, University of California, Santa Barbara, "Would an International Environmental Court Be a Progressive Force?"

Antonio Herman Benjamin, High Court of Justice of Brazil, Title TBC

16:40 – **Closing Statements**
17:00 Chair: Nilufer Oral, Chair IUCNAEL

Nicholas A. Robinson, Pace University School of Law

Jamie Benidickson, IUNCAEL Secretariat, University of Ottawa

Christina Voigt, PluriCourts, University of Oslo

18:00 – **Field Trip**
21:00 Boat trip on the Oslo Fjord