
**REPORT ON THE ACTIVITIES OF THE
ESIL IG ON INTERNATIONAL ENVI-
RONMENTAL LAW
(2017-2018)**

**esil.
sedi**

**EUROPEAN
SOCIETY OF
INTERNATIONAL
LAW**

INTRODUCTION

The ESIL Interest Group on International Environmental Law was formally **launched** after approval of the Executive Committee on the **2nd October 2009**, before the opening of the **ESIL-ASI Research Forum held in Helsinki** (Finland). The IG on International Environmental Law is one of the 16 Interest Groups of the ESIL and its **Coordinating Committee** is composed by the following Members: **Paolo Davide Farah, Josephine van Zeben, Martin Švec, Chamu Kuppuswamy, Daria S. Boklan.**

The Interest Group focuses on the **application of international law, public and private, to the resolution of environmental problems.** The ESIL Interest Group on International Environmental Law is an intergenerational and open forum where authoritative academics, young scholars, experienced practitioners, interested students as well as researchers concerned with the development of environmental protection at an international level can jointly discuss both its challenges and progress.

The International Environmental Law Interest Group may also explore the **interferences of environmental rules** in the spheres of **trade law** and international **peace and security**, as well as consider them within the general debate on the fragmentation of international law.

The establishment of an Interest Group on International Environmental Law is most relevant at this moment as a result of the paradox between the heightened concern of the international community on the impact of environmental change and the general assumption that legal endeavour is not being matched by either the

necessary political will or industrial progress.

Lately, the **signature** of the **Paris Agreement** the **UN SDGs** and other successful outcomes at international level have given the international community the certainty that the momentum for the **protection of the environment** and the fight against climate change had finally come.

The recent events at domestic and international level reveal a **significant risk of a step-back of the objectives and goals towards sustainable development** and this is making evident that the necessity to keep high attention on these

“ The Interest Group focuses on the application of international law, public and private, to the resolution of environmental problems ”

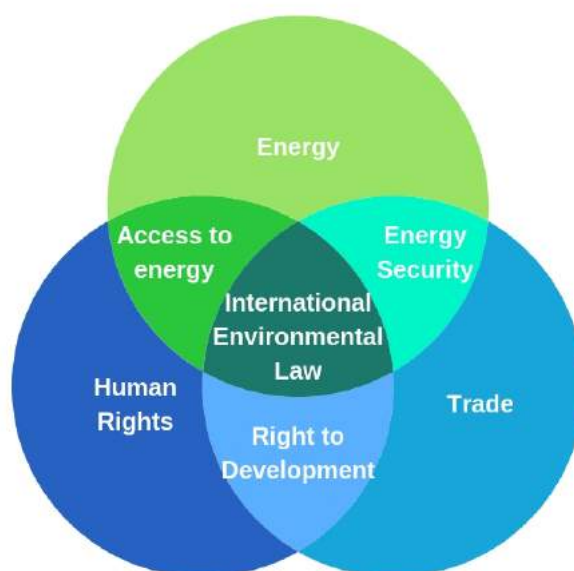
very important societal values should never be underestimated. For all these reasons, the role of the ESIL IG on international environmental law can be very important to **raise awareness** through **conferences, workshops, research, publications** and **policy advise** on such relevant topics constantly on the spotlight. Moreover, the complexity of the world requires to shape our scholarly and academic mission beyond the borders of international law and even beyond the borders of the legal field to bring **multidisciplinary responses to multilevel and multiscalar problems.**

The ESIL IG on international environmental law is ready to face this challenge and to move forward in the light of the principles of **interna-**

tional law on sustainable development.

The Interest Group on International Environmental Law have exponentially increased its membership from 210 members in 2016 to **400 members** in **2018**. Different Activities are already planned for the Period October 2018-October 2019 in the areas of **International Environmental Law, Climate change, Energy** and **Global Governance**.

The following report presents the **results achieved** in the covered period and anticipate some of the **activities foreseen** for the near future.



COORDINATING COMMITTEE

Members of the **Coordinating Committee** are elected for **four-year terms** and may be re-elected.



**PAOLO D.
FARAH**

West Virginia University, USA and gLAWcal - Global Law Initiatives for Sustainable Development, UK



**JOSEPHINE VAN
ZEBEN**

University of Oxford, UK



MARTIN ŠVEC

Masaryk University, Czech Republic and gLAWcal - Global Law Initiatives for Sustainable Development, UK



**CHAMU
KUPPUSWAMY**

University of Hertfordshire, UK



DARIA S. BOKLAN

National Research University Higher School of Economics, Russian Federation

PAST ACTIVITIES

The **Interest Group on International Environmental Law** of the European Society of International Law organized the following **activities**:

UNIVERSALITY OF CLIMATE ACTION

13 SEPTEMBER 2018, UNIVERSITY OF MANCHESTER, MANCHESTER, UNITED KINGDOM

CONTEMPORARY CHALLENGES TO INTERNATIONAL LAW AND POLICY ON SUSTAINABLE DEVELOPMENT, ENERGY, CLIMATE CHANGE, ENVIRONMENTAL PROTECTION, INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER

19–21 APRIL 2018, MASARYK UNIVERSITY, TELČ, CZECH REPUBLIC

INTERNATIONAL LAW ON SUSTAINABLE DEVELOPMENT, CLIMATE CHANGE AND ENVIRONMENTAL PROTECTION IN TIMES OF DISORDER AND CONTESTATION

28 FEBRUARY – 1 MARCH 2018, HEBREW UNIVERSITY FACULTY OF LAW, JERUSALEM, ISRAEL

HEALTH, ENVIRONMENT, FOOD AND RISK REGULATION – FOCUS ON: GOOD GOVERNANCE, INTELLECTUAL PROPERTY RIGHTS, AND CONSUMER PROTECTION

4 DECEMBER 2017, UNIVERSITY OF PARMA, PARMA, ITALY

FINANCING & THE RIGHT TO SCIENCE IN TECHNOLOGY TRANSFER IN THE SDGs

24 NOVEMBER 2017, UNIVERSITY OF GRONINGEN, GRONINGEN, THE NETHERLAND

WATER-ENERGY-FOOD NEXUS AND ENVIRONMENTAL SUSTAINABILITY: CHOICES, COMPROMISES AND PRIORITIES

6 SEPTEMBER 2017, UNIVERSITY OF NAPLES FEDERICO II, NAPLES, ITALY



FUTURE ACTIVITIES

HEALTH AND THE ENVIRONMENT IN INTERNATIONAL LAW: ACTORS, NORMS AND RESPONSIBILITIES

17-18 OCTOBER 2018, HEIDELBERG, GERMANY

UNIVERSALITY OF CLIMATE ACTION



O N THE OCCASION OF THE 14TH ESIL ANNUAL CONFERENCE ON “INTERNATIONAL LAW AND UNIVERSALITY”

SEPTEMBER 13, 2018, UNIVERSITY OF MANCHESTER, LAW SCHOOL, MANCHESTER, UK

At the UN Climate conference (**COP21**) in December 2015, **195 countries** adopted the first-ever universal, legally binding global climate deal to strengthen the global response to the threat of climate change. The central objective of the **Paris Agreement** is to hold global average **temperature increase to “well below 2°C** above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels”. Although the Paris Agreement does not explicitly refer to universal character of the international obligations enshrined, the **widest possible cooperation of all countries** in climate action is understood to be essential for the success of the accord. Countries are encouraged to cooperate in **the implementation of respective nationally determined contributions** including various mit-

igation and adaptation actions. Countries are encouraged to strengthen efforts to improve the development of **low-carbon technologies** and their transfer and **dissemination** to developing countries, especially the **least developed countries**. In this context, **international law** may effectively **facilitate cooperation** in identifying effective adaptation practices, adaptation needs and priorities, challenges and gaps, as well as support the synthesis of relevant information and knowledge.

“The idea is to better understand particular tools of international law and their potential to enhance universal implementation of climate mitigation and adaptation policies”

LIST OF SPEAKERS AND TOPICS

- **Amrisha PANDEY** (University of Leeds, UK): *Common Concern, State Responsibility and the International Environmental Law*
- **Natalie JONES** (University of Cambridge, UK): *Operationalizing the Paris Agreement's Implementation and Compliance Mechanism: Will It Promote Universality of Climate Action?*
- **Paolo Davide FARAH** (West Virginia University, USA and gLAWcal – Global Law Initiatives for Sustainable Development, UK): *The Role of the European Union's Law in the International Climate Change Regime*
- **Patrick TOUSSAINT** (University of Eastern Finland, Finland and Institute for Advanced Sustainability Studies, Germany): *What Universality? Grappling with Loss and Damage from Climate Change from a TWAIL Perspective*
- **Martin SVEC** (Masaryk University, Czech Republic and gLAWcal – Global Law Initiatives for Sustainable Development, UK): *Foreign Investment Protection Against the Backdrop of the Implementation of the Paris Agreement: Limits of the Right to Regulate*
- **Jason RUDALL** (University of Geneva, The Graduate Institute, Switzerland): *Climate Action through International Dispute Settlement: Green Shoots or Red Herrings?*
- **Dalia PALOMBO** (London School of Economics and Political Science, UK): *Business and Human Rights and Climate Change: Transnational Litigation*
- **Alexander SOLNTSEV** (People's Friendship University of Russia, Russian Federation): *Human Rights Obligation of States and Climate Change (Using Example of Rights of Indigenous Peoples)*
- **Josephine VAN ZEBEN** (University of Oxford, UK) and **Arden ROWELL** (University of Illinois College of Law, USA): *A New Status Quo? The Psychological Impact of the Paris Agreement on Climate Change*
- **Pauline MILON** (Aix-Marseille University, France and Lausanne University, Switzerland): *The Right to Water. Which Governance for this Common Good?*



CONTEMPORARY CHALLENGES TO INTERNATIONAL LAW AND POLICY ON SUSTAINABLE DEVELOPMENT, ENERGY, CLIMATE CHANGE, ENVIRONMENTAL PROTECTION, INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER

ORGANIZED BY GLAWCAL - GLOBAL LAW INITIATIVES FOR SUSTAINABLE DEVELOPMENT (UNITED KINGDOM), THE EUROPEAN SOCIETY OF INTERNATIONAL LAW (ESIL) INTEREST GROUP ON INTERNATIONAL ENVIRONMENTAL LAW AND THE AMERICAN SOCIETY OF INTERNATIONAL LAW (ASIL) INTEREST GROUP ON INTELLECTUAL PROPERTY LAW ON THE OCCASION OF THE CONFERENCE FOR YOUNG LAWYERS (COFOLA)

APRIL 19 – APRIL 21, 2018, MASARYK UNIVERSITY, TELČ , CZECH REPUBLIC

In recent years, our **planet** has been exposed to various **environmental challenges**. 2015, 2016 and 2017 have been the three warmest years on record and extremely **high temperatures** hit particularly southern Europe, eastern and southern Africa, South America as well as parts of Russia and China. (WMO, 2017) **Natural disasters** in form of heatwaves, droughts, more frequent and powerful tropical cyclones, and heavier monsoon rains caused property, infrastructure and environmental **damage** as well as **human losses** around the world. In the most affected region Asia-Pacific, natural disasters caused **4,987 deaths**, affected **35 million people** and caused damage of about \$77 billion in 2016. (UN ESCAP, 2017) Biodiversity has been constantly threatened by use of natural resources for economic and social growth. **Biodiversity loss** is occurring at mass-extinction rates. The populations of vertebrate species declined by an estimated 58% between 1970 and 2012. (WEF Global Risks Report, 2018) Soils are under pressure from population growth, pollution and higher demands for land uses other than food production. About **a third of** our global **soils are degraded**. (UNEP, 2018) More

than 2 billion people globally are living in countries with excess **water stress** and 800 million people have **no access** to an improved water sources (UNDP, 2015) Climate change has significant security implications for fragile regions, leading to **social tensions**, upheavals, instability and involuntary migration. The latest data show that 76% of the 31.1 million people displaced during 2016 were forced from their homes as a result of weather-related events. (WEF Global Risks Report, 2018) Environmental risks increasingly growing in prominence. The Global Risks Report 2018, published by the World Economic Forum, affirmed the trend of recent years: as the financial crisis has receded, **economic risks have been replaced by environmental risks**.

“According to the Global Risks Report 2018, four of five top risks in terms of impact are associated with climate change: extreme water events; natural disasters; failure of climate change mitigation and adaptation; and water crisis.”

LIST OF SPEAKERS AND TOPICS

- **Elena CIRKOVIC** (National Research University, Higher School of Economics, St. Petersburg, Russia): *Space, Ice, and the Final Frontiers of International Law's Universality*
- **Mykola IAKOVENKO** (University of Eastern Finland, Finland): *The Possible Options for Mitigation: The Natural Gas Supply Risks Via Ukrainian Gas-Transmission System in Changing Regulatory and Geopolitical Conditions*
- **Jan DOHNAL** (Masaryk University, Brno, Czech Republic): *Impact of Counterfeits on Economic Growth and Employment*
- **Karolina JACKOWICZ** (University of Białystok, Faculty of Law, Białystok, Poland): *Non-State Actors and Technology for The (Successful) Protection Of The Environment*
- **Nino PARSADANISHVILI** and **Ivane Javakhishvili** (Tbilisi State University, Tbilisi, Georgia): *Reconciling Trade and Development: the Inclusion of the 2030 Sustainable Development Agenda in WTO legal framework*
- **Anthi KOSKINA-SARIDAKI** (University Paris XIII, Paris, France and National and Kapodistrian University of Athens, Athens, Greece): *The Role of Science and Technologies in Climate Change Policy-Making and the Paradigm that Emerged from the Paris Agreement*
- **Wei ZHUANG** (Counsel, PraxiMondo, Geneva, Switzerland): *Patent Pools for Low-Carbon Technologies: A Cooperative Mechanism for Combating Climate Change*
- **Daria S. BOKLAN** (National Research University "Higher School of Economics", Moscow, Russia): *Labeling Requirements as a Tool Against the Backdrop of the Paris Agreement with Focus on WTO Law and Eurasian Economic Union Law*
- **Martin SVEC** (Masaryk University, Czech Republic) and gLAWcal – Global Law Initiatives for Sustainable Development, (UK): *EU Competence Over Energy and Environment Against the Backdrop of the Global Energy Transition*
- **Martina POHANKOVÁ** (Charles University in Prague, Czech Republic): *Reflection of Environmental Protection in International Investment Law: Gradual Development?*
- **Gabriel M. LENTNER** (Danube University Krems, Austria and Transatlantic Technology Law Forum Fellow at Stanford Law School, USA): *Nomos and Narrative: The Protection of Intellectual Property Rights in International Investment Law*
- **Martin Andrew JARRETT** (University of Mannheim, Mannheim, Germany): *Environmental Warning Labels: the Perspective from International Investment Law*
- **Paolo Davide FARAH** (West Virginia University, USA and gLAWcal – Global Law Initiatives for Sustainable Development, United Kingdom): *The Role of the Chinese SOEs toward the Promotion of a Low Carbon Economy: International Trade, Renewable Energy, Sustainable Energy and the Environmental Protection*



INTERNATIONAL LAW ON SUSTAINABLE DEVELOPMENT, CLIMATE CHANGE AND ENVIRONMENTAL PROTECTION IN TIMES OF DISORDER AND CONTESTATION

ON THE OCCASION OF THE 2018 EUROPEAN SOCIETY OF INTERNATIONAL LAW RESEARCH FORUM ON INTERNATIONAL LAW IN TIMES OF DISORDER AND CONTESTATION

28 FEBRUARY 2018, HEBREW UNIVERSITY FACULTY OF LAW, JERUSALEM

The world community has acknowledged that **climate change** represents an urgent and potentially **irreversible threat to human societies and the planet**. The need for an effective, urgent and global response has been emphasised by both the Paris Agreement and the 2030 Agenda for Sustainable Development. The widest possible **cooperation** of all countries is essential for successfully **reducing global greenhouse gas emissions**. Countries are also encouraged to cooperate in the implementation of respective climate adaptation measures, especially in terms of **enhancing the resiliency of developing countries** and regions vulnerable to the adverse effects of climate change. In addition, **climate action** can significantly **contribute** to the achieving of the **UN Sustainable Development Goals**, in particular to ensure universal access to affordable, reliable and modern energy. **International law has enormous potential** to address the aforementioned challenges related to climate change, sustainable development, and environmental protection, since global and ambitious actions, based on international cooperation, are required. Although the 2030 Agenda for Sustainable Development and the Paris Agreement are considered landmark achievements, their potential may be undermined by the current crisis of the traditional international law system. Raising **distrust towards multilateral governance** among states is represented by **contestation of universal values**, anti-insti-

tutional and isolationist sentiments around the world. Various stakeholders are of the opinion that international law does not keep pace with global changes, as well as changes within society. Global governance is blamed for its inability to address current challenges. Against the background of the current backlash against global governance, **the IG on International Environmental Law discusses the role of international law in pursuing the 2030 Agenda for Sustainable Development**. International law has the potential to cope with various global challenges, including sustainable development, climate change and environmental protection and may rebuild trust to multilateral governance. There is an undisputed **momentum for sustainable development** and climate change which should be maintained, in good times and even more in **times of disorder and contestation**.



LIST OF SPEAKERS AND TOPICS

- **Sergio Ramiro PEÑA-NEIRA** (Universidad Mayor de Chile, School of Law and Center for Research in Public Policy, Chile and Cambridge University, Lauterpacht Center for International Law, United Kingdom): *Sustainable Development as a general principle of public international law and international environmental law: Evolution and contribution of the Conventions of Biological Diversity and Climate change to the idea of “traditional knowledge”*
- **Kishor DERE** (Jawaharlal Nehru University, New Delhi, India): *Sustainable Development 1987-2017: Ambiguity or Clarity?*
- **Thays Ricarte LOPES** (Universitat Rovira i Virgili, Spain): *Energy Poverty, Social Metabolism and Willful Blindness*
- **Constantinos YIALLOURIDES** (British Institute of International and Comparative Law, United Kingdom): *Protecting and Preserving the Marine Environment in Disputed Areas: Seismic Noise and Provisional Measures of Protection*
- **Daniela PELLIN** and **Wilson ENGELMANN** (Valley of Bells University, UNISINOS, Brazil): *One of Brazil’s Problems For Compliance with The Agenda 2030: The Low Company Systems Complexity*
- **Silvia ZORZETTO** (University of Milan, Department of Legal Sciences Cesare Beccaria, Italy): *Risk and precautionary principle between science and politics. A conceptual analysis from a philosophical perspective*
- **Justine BENDEL** (University of Sheffield, UK): *The challenge of climate change as a common concern of humankind to the existence of an international community*
- **Larry Catá BACKER** (Pennsylvania State University, United States): *The Obligation of States to Prevent Negative Effects to Human Life and Health Caused by Climate Change: The View from International Human Rights Frameworks*
- **Francesco ADAMO** (University of Eastern Piedmont, Italy and Geoprogress, Italy): *An International Environment Fund (IEF) for Sustainable Development for All*
- **Martin SVEC** (Tel Aviv University, Israel and gLAWcal – Global Law Initiative for Sustainable Development, United Kingdom): *Role EU’s Free Trade Agreements in the Implementation of the Paris Agreement through Promotion of Energy Efficiency and Transfer of Low-Carbon Technologies*
- **Haifeng DENG** (Tsinghua University, Beijing, China and gLAWcal – Global Law Initiative for Sustainable Development, United Kingdom): *Common and Symmetrical Responsibility in Climate Change: A Bridging Mechanism for Adaptation and Mitigation*
- **Lucia Bodišová** (Pavol Jozef Safarik University in Košice, Slovak Republic): *Leave No One Behind: Protection of Disabled Persons in the Event of Disasters by Non-State Actors*
- **Katerina UHLIROVA** (Masaryk University Faculty of Law, Brno, Czech Republic): *Sustainable Development, Climate Change and Environmental Protection in the Arctic: What Role for International Law? Concluding Remarks*



HEALTH, ENVIRONMENT, FOOD AND RISK REGULATION FOCUS ON: GOOD GOVERNANCE, INTELLECTUAL PROPERTY RIGHTS, AND CONSUMER PROTECTION



ORGANIZED BY THE EUROPEAN SOCIETY OF INTERNATIONAL LAW (ESIL) INTEREST GROUP ON INTERNATIONAL ENVIRONMENTAL LAW, GLAWCAL - GLOBAL LAW INITIATIVES FOR SUSTAINABLE DEVELOPMENT (UNITED KINGDOM), THE AMERICAN SOCIETY OF INTERNATIONAL LAW (ASIL) INTEREST GROUP ON INTELLECTUAL PROPERTY LAW, AND THE UNIVERSITY OF PARMA, FACULTY OF LAW

4 DECEMBER 2017, UNIVERSITY OF PARMA, PARMA, ITALY

Non-Trade Concerns (NTCs) may conflict with **international economic rules** and we must find ways to protect them within international law and international economic law. **Globalization** without local concerns **can endanger relevant issues** such as good governance, human rights, intangible cultural heritage, right to water, right to food, social, economic, cultural and environmental rights, labor rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security. In particular, if we take in consideration the term **good governance**, it can gain even more importance and be seen under a new light in a time of economic crisis.

discourses from different countries law and policy towards international standards. **Emerging economies** are playing more and more key roles in international negotiations on NTCs such as good governance, climate change, energy, culture, food safety and security among others.



This conference focuses on **global visions and**

LIST OF SPEAKERS AND TOPICS

- **Vladislav N. MULYUN** and **Mikhael BERANDZE** (Diplomatic Academy of the Ministry of Foreign Affairs of the Russian Federation): *Non-Trade Concerns and International Responsibility for Violations of Collective Obligations in the Context of Multilateral Trading System*
 - **Daria S. BOKLAN** (National Research University “Higher School of Economics”, Russian Federation): *Process and Production Methods Related to GHG Emissions under WTO Law and Jurisprudence: Compatibility between States Obligations under Paris Climate Agreement and WTO Law*
 - **Marie-Catherine PETERSMANN** (EUI, Florence, Italy): *The Oxymoron of Sustainable Development: Inter-Pillar Conflicts of Norms*
 - **Sara POLI** (University of Pisa, Italy): *The Promotion of Good Governance in the EU External Relations*
 - **Jiangtian XU** (University of East Anglia, UK): *Can EU Be New Hegemon of International Politics? Game Theory Analysis on EU Civil Aviation ETS (Emission Trading System)*
 - **Marjolein SLIEP** (Dutch Ministry of Foreign Affairs, The Netherlands): *NGO Access to National Courts in EU Environmental Matters: Investigating the Compliance of Restrictive National Approaches on Legal Standing with EU Law*
 - **Giovanni GRUNI** (Leiden University, The Netherlands): *Towards a Sustainable World Trade Law? The Commercial Policy of the European Union after Opinion 2/15 CJEU*
 - **Benedetta CAPPIELLO** (Università of Milano, Italy): *Balance to Spread: A Possible Way to Integrate Patent Rights and Health Protection*
 - **Anna Giulia MICARA** (University of Milan, Italy): *TRIPS Flexibilities and Public Health after Philip Morris v Uruguay and Eli Lilly v Canada*
 - **Ilja Richard PAVONE** (National Research Council, Rome, Italy): *Access and Benefit Sharing under The Nagoya Protocol: An Overview of the Effectiveness of its Regulatory Regime*
 - **Julie YASSINE** (Kuwait International Law School): *Intellectual Property Rights and Indigenous Rights: Between Commercialization and Humanization of Traditional Knowledge*
 - **Paolo Davide FARAH** (West Virginia University, USA & gLAWcal – Global Law Initiatives for Sustainable Development, UK): *Intellectual Property Rights, Agricultural Biodiversity and Traditional Knowledge of Indigenous People*
 - **Chamundeeswari KUPPUSWAMY** (University of Hertfordshire, United Kingdom): *India’s New Intellectual Property Policy*
 - **Kay LIU** (Jiangsu Normal University, School of Law, China): *Intellectual Property Rights and Human Rights in the Chinese Traditional Medicine Legal System: Conflict or Coexistence?*
 - **Daniela CORONA** (LUISS, Italy): *The Global Challenge of Pesticide Residues: How to Guarantee Public Health while Encouraging Food Production from Developing Countries?*
 - **Anthi KOSKINA-SARIDAKI** (University Paris XIII, France, & National and Kapodistrian University of Athens, Athens Public International Law Center, Athens, Greece): *Legal Issues Arising from 3D Printed Foods: How Safe Are These Emerging Technologies?*
 - **Giulia SCHNEIDER** (Bocconi University, Milan, Italy): *Twist or Shout: The European Governance of Pharmaceutical Test Data*
 - **Sawmiya RAJARAM** (O.P Jindal Global University, India): *Evergreening the Access to Medicines: A Consumer Perspective*
-

FINANCING & THE RIGHT TO SCIENCE IN TECHNOLOGY TRANSFER IN THE SDGs

ORGANIZED BY THE DEPARTMENT OF INTERNATIONAL LAW, UNIVERSITY OF GRONINGEN, AND CO-SPONSORED BY THE EUROPEAN SOCIETY OF INTERNATIONAL LAW (ESIL) INTEREST GROUP ON INTERNATIONAL ENVIRONMENTAL LAW AND BY GLAWCAL - GLOBAL LAW INITIATIVES FOR SUSTAINABLE DEVELOPMENT (UNITED KINGDOM)

24 NOVEMBER 2017, UNIVERSITY OF GRONINGEN, GRONINGEN, THE NETHERLAND

Universal implementation of the **SDGs** will require **vast amounts of economic, natural, technological and human resources and expertise**. It also requires systems for the adequate mobilisation and (re)distribution thereof – at national, regional and global levels. According to SDG 17, **implementation requires**, inter alia, access to financing, technology, knowledge transfer, capacity building, trade and investment, policy and institutional coherence, and multistakeholder partnerships. **‘Financing’** and **‘technology and knowledge sharing’** for (sustainable) development are two key strategies and requirements for the SDGs. This has been repeatedly affirmed in the Addis Ababa Action Agenda on Financing for Development (2015), the Paris Climate Agreement (2015), the UN 2015-2030 UN Sendai Framework on Disaster Risk Reduction (2015), and the WTO’s Doha Declaration (2001). At the same time, financing and technology and knowledge sharing are (still) notoriously difficult topics in international law and policy, for burden sharing is difficult to regulate. **Can international law be a vehicle for establishing and operationalising legal principles and/or standards for mobilizing, sharing/distributing and allocating adequate resources?** In addition, the crucial role of **non-State actors** should not be underestimated. In fact, large parts of the world’s GDP are generated by companies and their positive contributions to the SDGs are potentially a *conditio sine qua non* for their realisation. How can international law

assist tapping into these resources, e.g. through tax law, investment law, labour law, obligations of cooperation and assistance, or through public-private partnerships, and new, open and collaborative models of scientific innovation? Banks, insurance companies and other financial institutions can make tremendous contributions towards leveraging sufficient resources for the SDGs. **Companies and other private actors** play a central role in developing, scaling up, disseminating and making available technologies and scientific knowledge (or not!). Other important stakeholders in the **‘multi-stakeholder effort’** for the SDGs include: international organisations, charities/NGOs, religious organizations, philanthropic actors, or individuals themselves (e.g. through taxes, insurance premiums, contracts for service delivery).



LIST OF SPEAKERS AND TOPICS

- **Marlies HESSELMAN** (Lecturer in International Law, Department of International Law, University of Groningen, the Netherlands): *A Critical Reappraisal of the “Obligation to Fulfil” Human Rights in Light of SDG Resource Needs and Constraints*
- **Eva ZHANG** (PhD Candidate, Department of International Law, University of Groningen, the Netherlands): *China’s Move towards Universal Health Coverage: A Human Rights Reflection on the “Sanming Model”*
- **Paolo Davide FARAH** (West Virginia University, USA and gLAWcal – Global Law Initiatives for Sustainable Development, UK): *Trade & Environment: An Analysis of the Unfinished WTO Environmental Goods Agreement (EGS) in Conjunction with the SDGs and the Paris Agreement*
- **Jaap WAVERIJN** and **Cees VERBURG** (PhD Candidates, University of Groningen, Groningen Centre for Energy Law, the Netherlands): *Financing Clean Energy Projects – Investment Decisions and the Role of international Investment Law*
- **Abbe BROWN** (remote participation) (School of Law, University of Aberdeen, UK): *Exploring the Relationship between the Right to Science, IP and Engaging with Climate Change*
- **Mando RACHOVITSA** (University of Groningen, the Netherlands): *Is the Right to Science the Missing Key to Realising the Transfer and Development of Technology in the SDGs?*
- **Jennifer SELLIN** (Maastricht University, the Netherlands): *Access to Medicines, the Sustainable Development Goals, and Extraterritorial Human Rights Obligations*
- **Gustavo AROSEMENA** and **Silviya CHAKAROVA** (PhD Candidates, Maastricht University & Luxembourg University): *The Logical Pathologies of the Regime on Technology Transfer*
- **Jaroslav GREŠER** (Adam Mickiewicz University, Poznan, Poland): *The Right to Science and TNCs: Access to Data Collected by Private Entities for Research Purposes*
- **Shamiso ZINZOMBE** (remote participation) (Erasmus University, the Netherlands): *Financial Institutions for Innovation into New Medicine and Participation of Human Rights Holders*



WATER-ENERGY-FOOD NEXUS AND ENVIRONMENTAL SUSTAINABILITY: CHOICES, COMPROMISES AND PRIORITIES



ON THE OCCASION OF THE 13TH ESIL ANNUAL CONFERENCE ON “GLOBAL PUBLIC GOODS, GLOBAL COMMONS AND FUNDAMENTAL VALUES: THE RESPONSES OF INTERNATIONAL LAW”

6 SEPTEMBER 2017, UNIVERSITY OF NAPLES FEDERICO II, NAPLES, ITALY

The **Water-Energy-Food nexus** is a theoretical concept describing the **mutual interconnections** between the complex systems of these resources. Its purpose is to develop solutions mitigating and promoting synergies able to maintain and further elaborate **sustainable development**.

Currently, there are numerous **challenges** this area necessary to face and policymakers all over the world struggle to balance between different priorities such as minimizing the ecological footprint of human activities, satisfying the needs of such as minimizing the ecological footprint of human activities, satisfying the needs of the constantly growing population and in order to fulfill Sustainable Development Goals set.

While water is a vulnerable and valuable resource in itself, its importance for, and connection with, energy and food security cannot be understated.

The **over-exploitation** of freshwater resources by both the energy and agricultural industry is one example of **competing uses**. Similarly, en-

“Currently, there are numerous challenges this area necessary to face and policymakers all over the world struggle to balance between different priorities”

ergy is needed for water sanitation and farming. Finally, **nutrition** is vital for livestock breeding, biofuel production and the maintenance of labor. Despite this factual **indivisibility**, regulatory solutions continue to be isolated and sectorial. Although some of these can be regionally effective, without thoroughly analyzing wider impacts they are likely to be counterproductive with respect to **global sustainability**.

LIST OF SPEAKERS AND TOPICS

- **Paolo Davide FARAH** (West Virginia University, USA and gLAWcal – Global Law Initiatives for Sustainable Development, UK): *Water-Energy-Food Nexus Under International Law: Introductory Remarks*
- **Hitomi KIMURA** (Otsuma Women's University, Tokyo, Japan): *Water-Energy-Food Nexus in the International Environmental Laws*
- **Yao-Ming HSU** (National Cheng-Chi University, Taipei, Taiwan) and **Chen Wen-WEI** (Taiwan Research Institute, Taiwan): *Mainstreaming the Water-Food-Energy Nexus Approach: A Driving Force Analysis*
- **Maria Banda** (University of Toronto, Canada): *The Food-Water Nexus and International Law : Climate Change Adaptation Across State Boundaries*
- **Hyun Ju (Crystal) PARK** (University of Macau, China): *The Implications of the Conflict between the Customary Principles of Permanent Sovereignty over Natural Resources and the Equitable Use of Transboundary Aquifers*
- **Flavia MARISI** (Ghent University, Belgium and CUHK – Chinese University of Hong Kong, China): *Balancing the Human Rights to Water and to Property in Investment Law*
- **Alexander SOLNTSEV** (People's Friendship University of Russia, Moscow, Russia): *Legal Problems of Using the Transboundary Amur River: Issues of Environmental Social and Economic Development*
- **Martin SVEC** (Charles University Faculty of Law, Czech Republic) and **Matteo BARRA** (Energy Charter Treaty, Belgium): *Opportunities for Advancing the Water-Energy-Food Nexus in Development Cooperation: the Case of Africa*
- **Charlotte BLATTNER** (University of Basel, Switzerland) and **Odile AMMANN** (University of Fribourg, Switzerland and University of Oxford, UK): *Water-Energy-Food Nexus: Animal Agriculture and Farmer Rights in the Light of International Human Rights Law*
- **Chamu KUPPUSWAMY** (University of Hertfordshire, UK): *Intersectionality in Food Security and Tenure Rights*
- **Antonio COLETTA** (CREA, Italy) and **Hatice M. TUNCER** (University of Cambridge, UK): *Food, Energy, Water and Their Synergy in Sustainable Agriculture*
- **Priscila PEREIRA DE ANDRADE** (University Center of Brasília, Brazil): *Private Normative Instruments to Regulate the Water-Energy-Food Nexus: the Legal Effects of Private Standards and Contracts Adopted in the sustainable biofuel industry*

