

EUROPEAN SOCIETY OF INTERNATIONAL LAW (ESIL)
2019 ANNUAL CONFERENCE:

**SOVEREIGNTY:
A CONCEPT IN FLUX?**

12 -14 September 2019

PRE-CONFERENCE EVENT PROGRAM FOR
THE ESIL INTEREST GROUP
ON INTERNATIONAL ENVIRONMENTAL LAW

**THE REALITY AND RHETORIC OF
SOVEREIGNTY IN RELATION TO
NATURAL RESOURCES,
ENVIRONMENT, TRADE AND
DEVELOPMENT**

12 September 2019

ESIL Interest Group on International Environmental Law

***National & Kapodistrian University of Athens,
Athens, Greece***



***IG ON INTERNATIONAL
ENVIRONMENTAL LAW***



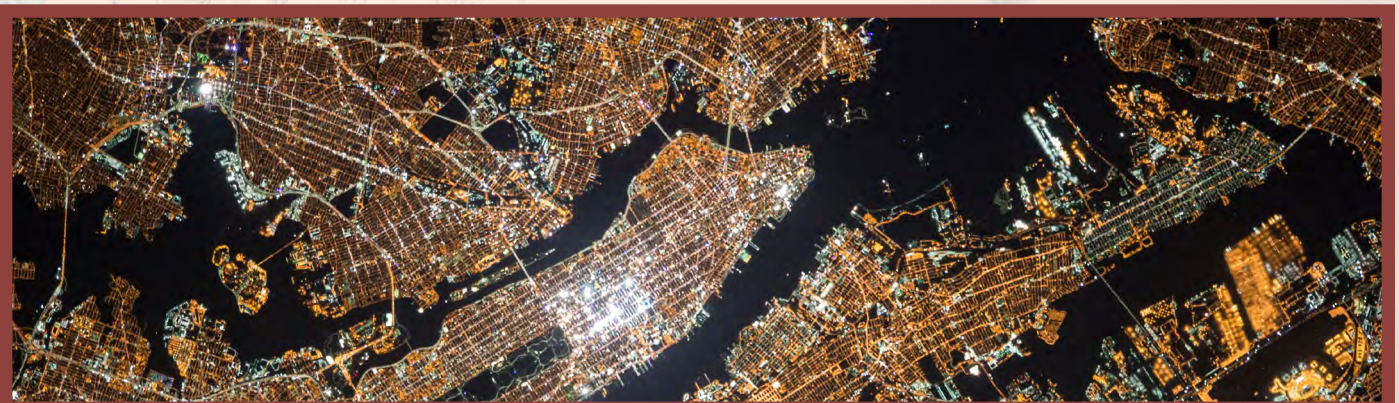
INTRODUCTION

Since the 1970s, states have come together to shape rules, practices and aspirations regarding our **natural environment**. International cooperation, treaty making, partnerships, and goal setting in the area of **natural resources**, the **environment**, **trade** and **development** have shaped and affected the **sovereignty** of nation states.

The **IG on International Environmental Law** invites analyses from various viewpoints and perspectives on the **reality** and **rhetoric** of sovereignty in international environmental law. This ranges from the view that **sovereignty** is a **waning phenomenon** in a globalised, digitised and decentralised world to the position that sovereignty **privileges states** over non- state actors and is the determining factor in the **regulation** of the environment, trade and development.

We invite you to explore, in the environmental context, the nature of **commitments** made by states in their negotiation to **retain legitimacy**, be they with international institutions or non-governmental organisations, thereby helping us understand the reality of the overall nature of sovereignty in the **21st century**. Attendant issues would be how state prerogatives and interests have been reshaped by **global initiatives** on the environment. In the area of the environment, **technical sovereignty** through science-based approaches and how this impacts on politically bargained sovereignty is bringing in new actors and methods into the sovereignty bargain.

Is sovereignty '**organised hypocrisy**' or a **sacred privilege** tough to keep? Are states in **full control** of their sovereignty or do they really rely on bargaining with other **states** and **non-state actors** for propping up their sovereignty? This meeting focussing on innovative and fresh perspectives on approaching regulation, governance of natural resources and the environment in the light of competing interests in trade and development, within precept of sovereignty, encouraging **multidisciplinary** approaches and cross sectoral analyses, adopting social sciences, legal, and other methodologies



PROGRAM

12 SEPTEMBER 2019 - H. 09:00 - 13:30

**NATIONAL & KAPODISTRIAN UNIVERSITY OF ATHENS,
ATHENS, GREECE**

9:00 - 9:05

*Welcoming Speech and Introduction to ESIL IG on International Environmental Law - **Paolo Davide Farah** (West Virginia University, USA and gLAWcal - Global Law Initiatives for Sustainable Development, UK & ESIL Board Member and Chair of the ESIL IG on International Environmental Law) and **Chamu Kuppuswamy** (Hertfordshire Law School, UK and Convener of the ESIL IG on International Environmental Law)*

9:05 - 10:45

1ST PANEL:

SOVEREIGNTY BETWEEN STATE AND NON-STATE ACTORS

Chair and Discussant:

Paolo Davide Farah

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

*STATE'S RIGHT TO RELY ON PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES: AN INCENTIVE OR IMPEDIMENT FOR SUSTAINABLE DEVELOPMENT? - **Daria Boklan** and **Elena Cirkovic** (National Research University Higher School of Economics, Moscow, Russia; National Researcher University Higher School of Economics, St Petersburg, Russia)*

*ASEAN: TRUST, CONSENSUS AND INFORMALITY AS A WAY TO DEAL WITH GLOBAL ISSUES WITHOUT TRESPASSING ON SOVEREIGNTY - **Winfried Huck** (Brunswick European Law School, Germany and Lauterpacht Centre for International Law at the University of Cambridge, UK & Tongji University, Shanghai, China)*

*TECHNOLOGY TRANSFER AND INTERNATIONAL TRADE TOWARDS SUSTAINABLE DEVELOPMENT - **Imad Antoine Ibrahim** (Sant'Anna School of Advanced Studies, Italy)*

10:30 DISCUSSION

10:45 COFFEE BREAK

11:00 - 11:30

KEYNOTE SPEECH

**SOVEREIGNTY IN RELATION TO NATURAL
RESOURCES, ENVIRONMENT, TRADE AND
DEVELOPMENT: THE WTO CASE LAW
AND CONTRIBUTION**



Gabrielle Marceau

(Professor at University of Geneva, Switzerland and Senior Counsellor, Legal Affairs Division of the WTO & Former Member of the Cabinet of the WTO Director General Pascal Lamy)

11:30 - 13:00

2ND PANEL:

LIMITING SOVEREIGNTY FOR ENVIRONMENTAL PROTECTION

Chair and Discussant:

Chamu Kuppuswamy

(Hertfordshire Law School, UK)

*READING THE UN GLOBAL PACT ON THE ENVIRONMENT: INTERNATIONAL LAW, GLOBAL JUSTICE, AND THE ABANDONMENT OF THE SOVEREIGNTY-RIGHTS PARADIGM - **Charlotte Steinorth** (Human Rights Centre of the University of Potsdam, Germany)*

*BEYOND THE RETHORIC OF TRADE LIBERALIZATION AT ANY COST: NATURAL RESOURCES CONSERVATION AND EXTRATERRITORIALITY IN THE WTO AFTER US – TUNA II (ARTICLE 21.5) - **Ilaria Espa** (USI Lugano and World Trade Institute, University of Bern, Switzerland)*

*THE BELT AND ROAD INITIATIVE: BETWEEN NATIONAL INTERESTS AND ENVIRONMENTAL PROTECTION - **Paolo Davide Farah** (West Virginia University, USA and gLAWcal - Global Law Initiatives for Sustainable Development, UK)*

12:45 – 13:00

Discussion

13:00 – 13:30

*DISCUSSION ABOUT THE ESIL IG ON INTERNATIONAL ENVIRONMENTAL LAW
PLANNED ACTIVITIES (EVENTS AND PUBLICATIONS)*

13:30 - 14:00

*LUNCH BOXES WILL BE AVAILABLE AT THE
FACULTY CLUB AND THE LAW LIBRARY*

ORGANIZING COMMITTEE

Paolo Davide Farah (*West Virginia University, USA and gLAWcal – Global Law Initiatives for Sustainable Development, UK*)

Chamu Kuppuswamy (*Hertfordshire Law School, UK*)



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