

# CALL FOR PAPERS

A pre-Annual Conference workshop on International Environmental Law Principles in the context of the 2023 ESIL Annual Conference taking place in Aix-en-Provence (France), 31 August– 2 September 2023, themed ‘Is International Law Fair?’.

## ARE FOUNDATIONAL, FUNDAMENTAL, AND EVOLVING INTERNATIONAL ENVIRONMENTAL LAW PRINCIPLES FAIR?

**DATES ESIL ANNUAL  
CONFERENCE**

31 AUGUST– 2 SEPTEMBER 2023

**DATE IG ENVIRONMENTAL LAW  
PRE-ANNUAL CONFERENCE  
WORKSHOP  
30 AUGUST**

**VENUE**

AIX-EN-PROVENCE (FRANCE)



# ARE FOUNDATIONAL, FUNDAMENTAL, AND EVOLVING INTERNATIONAL ENVIRONMENTAL LAW PRINCIPLES FAIR?

## INTRODUCTION

The 2015 United Nations (UN) Resolution “Transforming our world: the 2030 Agenda for Sustainable Development” envisions a world in which consumption and production patterns and the use of all natural resources – from air to land, via rivers, lakes, and aquifers to oceans and seas – is sustainable, and within the limits of the natural systems.

It is common to think of the preservation of natural resources and economic development as areas protecting opposing interests. However, a closer look reveals that there is a firm interrelation and, even more importantly, interdependence of the two. The International Court of Justice in the *Gabčíkovo–Nagymaros* case specifically underlined that the need to reconcile economic development with protection of the environment is aptly expressed in the concept of sustainable development. Therefore, both the environmental and economic stability of a state are critical for its sustainable development, which can only be achieved if full effect is given to the basic principles of international environmental law.

However, as was stated by the Arbitral Tribunal in the *Iron Rhine* case (2005) there is considerable debate as to what, within the field of environmental law, constitutes “principles”. At the same time the Tribunal underlined that the emerging principles, whatever their current status, make reference to conservation, management, notions of prevention and of sustainable development, and protection for future generations. Importantly, these emerging principles now integrate environmental protection into the development process. Environmental law and the law on development stand not as alternatives but as mutually reinforcing, integral concepts, which require that where development may cause significant harm to the environment there is a duty to prevent, or at least mitigate, such harm. The identification of precise legal status of each of basic principles of international environmental law, however, is still work in progress, and is fraught with challenges.

However, the applicability of such principles was confirmed by international courts and tribunals. Foundational and evolving principles of international environmental law include sovereignty over natural resources; responsibility not to cause environmental harm, the precautionary principle, the polluter pays principle and the principle of common but differentiated responsibilities, environment as common concern of humankind, the common heritage of humankind principle, and others.

# AREAS OF INTEREST

The IG on International Environmental Law launches a Call for Papers and invites contributions addressing unclear legal status and controversial interpretation of basic principles of international environmental law, and their effectiveness to work in practice. These problems taken together raise the question on fairness of basic principles of international environmental law.

The papers shall address this topic, choosing, but not limited to, the following themes:

- Legal status of the basic principles of international environmental law
- Conflicting interpretations of the principles of international environmental law
- Effectiveness of application of the principles of international environmental law at international and national level
- Interconnection of basic principles of international environmental law with human rights
- Intersections between international development law and the principles of international environmental law
- Compatibility of basic principles of international environmental law with principles of international trade and investment law
- Energy solidarity, energy transition and basic principles of international environmental law

# APPLICATIONS & ELIGIBILITY

This call is open for academics, as well as practitioners of international organizations and NGOs working in these areas. The objective is to optimize research impact of our participants by engaging the different communities of practice in law, political science, climate, or environmental science in this interdisciplinary field of sustainability, trade, investment, energy, and environment. The following must be submitted to [environment.esil@gmail.com](mailto:environment.esil@gmail.com) by **April 25 2023**:

- The author's name and affiliation;
- A 500-700-word abstract [Word file or PDF];
- The author's CV, including a list of relevant publications, if applicable;
- The author's contact details, including e-mail address and phone number;
- Whether the author is an ESIL member (Being an ESIL Member is not a requirement to submit an abstract)
- Interdisciplinary and co-authored papers are also welcomed.

Multiple abstracts from the same authors will be considered, but only one can be selected. Co-authored multidisciplinary papers are also welcomed. Applicants will be informed of the selection committee's decision no later than **April 29, 2023**. The Organizers are unable to provide funding for any cost related to the participation to the conference.

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some **ESIL travel grants** and **ESIL careers' grants** will be available to offer partial financial support to speakers who have exhausted other potential sources of funding. Please see the **ESIL website** for all relevant information about the conference.

All participants at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register just to attend the IG workshops; however, all participants are warmly invited to attend the entire event.

Selected speakers should indicate their interest in being considered for the ESIL Young Scholar Prize, if they meet the **eligibility conditions** as stated on the ESIL website. The ESIL Secretariat must be informed of all selected speakers who wish to be considered for the Prize before 30 April.

All Members of the ESIL Interest Group on International Environmental Law, the members of other ESIL IGs and also the non-ESIL members (ESIL membership might be required if the abstract is selected) are invited to submit abstracts.

## VENUE AND DATES

A pre-Annual Conference workshop on International Environmental Law Principles in the context of the 2023 ESIL Annual Conference. The ESIL Annual conference will take place in Aix-en-Provence (France), 31 August- 2 September 2023 and the pre-Annual Conference workshop organized by the IG on International Environmental Law on 30 August 2023.

## PUBLICATION OPPORTUNITIES

The organizers have publication plans for the presented papers. The precise format of publication will be discussed during the conference.

## SCIENTIFIC COMMITTEE

Paolo Davide Farah (West Virginia University & gLAWcal - Global Law Initiatives for Sustainable Development, UK), Chamu Kuppuswamy (University of Hertfordshire, UK), Daria Boklan (National Research University Higher School of Economics, Russia), Martin Svec (Masaryk University, Czech Republic & gLAWcal - Global Law Initiatives for Sustainable Development, UK), and Otto Spijkers (Faculty of Governance and Global Affairs of Leiden University College, Netherlands).

