

SYMPOSIUM

EMERGING ISSUES IN ENVIRONMENTAL RULE OF LAW: CONTRIBUTIONS FROM ACADEMIA AND CIVIL SOCIETY TOWARDS THE MONTEVIDEO ENVIRONMENTAL LAW PROGRAMME

30-31 May 2024

Hybrid: in-person in Nairobi & via webinar

Partners:



Global Judicial Institute on the Environment
Institut Judiciaire Mondial de l'Environnement
Instituto Judicial Mundial del Ambiente



Meeting held in the margins of the Second Global Meeting of National Focal Points to the Montevideo Environmental Law Programme (UNEP, Nairobi, 3-5 June 2024). Photo: ©WCELaw

Supporting Universities:



Agenda

May 30, Thursday

Morning 09:00-12:30

■ High-Level Opening

- **Prof. Patricia Kameri-Mbote**, UNEP, Director, Law Division; Full Professor, School of Law, University of Nairobi, Kenya; Member of the ICEL Board of Governors.
- **Dr. Grethel Aguilar**, Director General of the International Union for Conservation of Nature (IUCN); Member of the ICEL Board of Governors (*online*).
- **Prof. Christina Voigt**, Chair of the IUCN World Commission on Environmental Law; Co-Chair of the Paris Agreement Implementation and Compliance Committee; Full Professor of Public International Law, University of Oslo, Norway (*online*).
- **Prof. Collins Odote**, Director and Senior Professor, Centre for Advanced Studies in Environmental Law & Policy (CASELAP), University of Nairobi.

■ Framing the Discussion – the Montevideo Environmental Law Programme and the Environmental Rule of Law

- **Mr. Marcelo J. Cousillas**, Co-Chair and National Focal Point of the Montevideo Programme, Legal Director, Ministry of Environment, Uruguay.
- **Ms. Aphrodite Smagadi**, Legal Officer, Law Division, UNEP.

■ Panel I. Emerging issues in the Environmental Rule of Law

■ Moderated discussion – chaired by **Andy Raine, Deputy Director, Law Division, UNEP**

- **Recent developments on the Environmental Rule of Law under EU Law**, Prof. Eckard Rehbinder, Emeritus Professor, Goethe-Universität Frankfurt am Main, Germany; Member of the ICEL Board of Governors (*online*).
- **Towards an International Treaty on Plastic Pollution**, Prof. Alexander Solntsev, Deputy Head of the Department of International Law; Peoples Friendship University of Russia, PhD; Member of the ICEL Board of Governors (*online*).
- **From conservation to restoration: a new paradigm in the protection of biodiversity?** Prof. Juan-Cruz Alli Turrillas, Full Professor of Administrative Law at UNED, Spain; Member of the ICEL Board of Governors.

● **Laws for Implementing Protection of the Oceans in Areas Beyond Jurisdiction (BBNJ)**, Ms. Rose Lesley Kautoke, Esq. (Tonga), Senior Crown Counsel, Head of the Legal Advice and International Law Division, Attorney General's Office; Member of the ICEL Board of Governors (*online*).

● **Endangered Species: Raising Awareness through Music**, Prof. Koh Kheng Lian, Emeritus Professor Faculty of Law, National University of Singapore; Member of the ICEL Board of Governors; Former Director of APCEL (*online*) & Maestro Amos Chiya, Research Fellow in Sustainability Science, Teaching Fellow (Integrated Arts and Sciences), Hiroshima University, Japan; ICEL Representative for Music & Culture for the Environment (*online*).

■ Q&A

Afternoon 14:00-17:00

■ **Panel II. The Transformative Capacity of Law over Actors, Spaces, Resources, Behaviors, and Harm**

■ **Moderated discussion** – chaired by **Dr. Nkatha Kabira**, Senior Lecturer, Department of Private Law, School of Law, University of Nairobi; Iso Lomso Fellow, Stellenbosch Institute of Advanced Studies, Stellenbosch, South Africa.

● **Indigenous Peoples and Nature**, Dr. Lieselotte Viaene, Belgium, Senior Lecturer, UC3M; Principal Investigator ERC research project RIVERS (*online*).

● **Environmental refugees and the rule of law**, Dr. Susana Borrás Pentinat, Associate Professor of International Public Law and International Relations; Coordinator of the Master's Degree in Environmental Law, CEDAT Institute for Research in Sustainability, Climate Change and Energy Transition (IU-RESCAT), Rovira i Virgili University, Tarragona, Spain.

● **Ecocide – Crimes against Nature**, Dr. Thomas Obel Hansen, Maria Zambrano Distinguished Researcher, UC3M / Associate Professor in International Law at Ulster University's Transitional Justice Institute, UK.

● **Towards a mandatory corporate sustainability due diligence?** Prof. Montserrat Abad Castelos, Full Professor of Public International Law at UC3M; Vice-Chancellor and Co-Director of the ICEL's International Secretariat.

● **New Trends in Environmental Corporate Responsibility in the Aviation Sector**, Dr. Teresa Parejo, Director of Sustainability, Iberia (*online*).

● **Corporate Environmental Responsibility at Sea: the case of Fisheries**, Prof. Laura Carballo Piñeiro, Dean of the Faculty of International Relations and Full Professor of Private International Law at University of Vigo, Spain.

● **Legal indicators to measure the effectiveness of environmental law**, Laurent Vassallo and Lucie Brouwer, Centre International de Droit Comparé de l'Environnement (CIDCE) (*online*).

■ **Q&A**

May 31, Friday

Morning 09:00-12:00

■ **Panel III. Promoting the Rule of Law in the context of Effective Environmental Governance: New Horizons for Environmental Justice**

■ **Moderated discussion** – chaired by **Justice Oscar Angote**, Presiding Judge of the Environment and Land Court of Kenya.

● ***The Human Rights Dimension of the Environmental Rule of Law***, Prof. Ben Boer (Australia), Chair, ICEL Publications Committee; Visiting Professor, Wuhan University (China); Member of the ICEL Board of Governors (*online*).

● ***Land rights and environmental justice***, Prof. Collins Odote, Director and Senior Professor, Centre for Advanced Studies in Environmental Law & Policy (CASELAP), University of Nairobi.

● ***Conflict and cooperation around spaces of strategic significance: the case of the polar regions***, Dr. Marta Sobrido Prieto, Associate Professor of Public international law, University of A Coruña, Spain (*pre-recorded video*).

● ***Women's, Children's and Nature's Rights in Environmental Governance***, Dr. Nkatha Kabira, Senior Lecturer, Department of Private Law, School of Law, University of Nairobi; Iso Lomso Fellow, Stellenbosch Institute of Advanced Studies, Stellenbosch, South Africa.

● ***The UN International Court of Justice Advisory Opinion on Climate Change***, Dr. Laura Movilla Pateiro, Senior Lecturer of Public International law, UVigo, Spain.

● ***Environmental claims and arbitration***, Dr. Rafael A. Velázquez, Senior Lecture of Private international law at the University of Vigo, Spain.

● ***Horizontal climate litigation and due diligence obligations in the European Union***, Dr. Laura García Álvarez, Senior Lecturer of Private international Law, University of Pablo de Olavide, Spain (*online*).

■ **Q&A**

Afternoon 14:00-17:30

■ **Panel IV. A new Agenda on Environment, Security, Conflicts, and Peace**

■ **Moderated discussion** – chaired by **Sagal Abshir**, Head of the Environment Security Unit, Disasters and Conflict Branch, Ecosystems Division, UNEP

● **Environment and Peace under Siege. Which way forward?**, Mr. Donald Kaniaru, Former Director of the Division of Environmental Policy Implementation and of the Division on Environmental Conventions, UNEP; Member of the ICEL Board of Governors; ICEL’s Representative before UN, Nairobi, Kenya.

● **The ILC Principles on protection of the environment in relation to armed conflicts (PERAC)**, Prof. Karen Hulme, Full Professor of Public International Law, University of Essex; Chair of the IUCN WCEL Specialist Group on Environmental Security and Conflict Law (*online*).

● **Armed conflict, Human Rights & Environment: The case of Gaza**, Ms. Nada Majdalani, EcoPeace Middle East, Director of the Palestine Office (*online*).

● **Armed conflict, Human Rights & Environment: The case of Ukraine**, Dr. Alexandra Kalmykova, PhD Assistant professor, International Law Department, Istanbul University (Turkey) / Yaroslav Mudryi National Law University (Ukraine) (*online*).

● **Governance of Natural Resources in Conflict and Post-Conflict Situations**, Prof. Daniëlla Dam-de Jong, Full Professor of International Sustainable Development Law at the Grotius Centre for International Legal Studies; Deputy Chair of the IUCN WCEL Specialist Group on Environmental Security and Conflict Law (*online*).

● **Protected Areas**, Prof. Joaquín Alcaide Fernández, Full Professor of Public International Law, University of Sevilla, Spain.

● **The Protection of Environmental Defenders in Latin America**, Mr. Gustavo Alanis, President of CEMDA (*Centro Mexicano de Derecho Ambiental*); Member of the ICEL Board of Governors (*online*).

■ **Q&A**

■ Closing Panel

■ Introduced by **Prof. Montserrat Abad Castelos**, Full Professor of Public International Law at UC3M; Vice-Chancellor and Co-Director of the ICEL's International Secretariat.

● ***The transformative power of law to protect nature and sustain human civilization***, Prof. Nicholas A. Robinson, Executive President of ICEL; Chair Emeritus of the WCEL; Emeritus Professor at the University of Pace, NY, USA (*online*).

● ***Breaking down the Silos: The Environmental Rule of Law beyond Environmental Law***, Prof. Christina Voigt, Chair of the IUCN World Commission on Environmental Law; Co-Chair of the Paris Agreement Implementation and Compliance Committee; Full Professor of Public International Law, University of Oslo, Norway (*online*).

● ***Judges and the Environmental Rule of Law***, Justice Antonio H. Benjamin, Chancellor of ICEL; President of the Global Judicial Institute on the Environment; Chair Emeritus of the World Commission on Environmental Law; Chief Justice-Elect of the National High Court of Brazil – STJ (*online*).

● ***UNEP and the Environmental Rule of Law***, Prof. Patricia Kameri-Mbote, Director, Law Division, UNEP; Full Professor, School of Law, University of Nairobi, Kenya; Member of the ICEL Board of Governors.

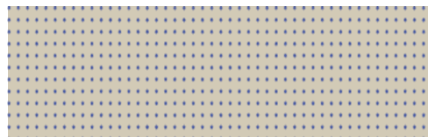
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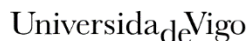
■ Introduced by Prof. Laura Carballo Piñeiro, Dean of the Faculty of International Relations and Full Professor of Private International Law at University of Vigo, Spain.

● ***Making Peace with Nature and Making Nature a Key for Peace***, Prof. Juan Cruz-Allí, Full Professor of Administrative Law, UNED, Spain; Member of the ICEL Board of Governors; Member of PaxNatura.

● ***Making Justice to Make Peace with Nature: The Judicialization and other Forms of Jurisdictional and Institutional Protection of Nature***, Dr. Laura Movilla Pateiro, Senior Lecturer of Public International law, UVigo, Spain; Member of PaxNatura.

● ***Halfway through the Fifth Montevideo Environmental Law Programme - taking stock and looking forward***, Andy Raine, Deputy Director, Law Division, UNEP





This Symposium is jointly organized by United Nations Environment Programme (UNEP), the International Council of Environmental Law (ICEL), the Universidad Carlos III de Madrid (UC3M), the University of Vigo (UVigo) and the University of Nairobi. This event convenes policy makers, academics, legal practitioners and civil society leaders in the framework of the PaxNatura Research Projects, funded by the Spanish Ministry of Science and Innovation (Ref.: PID2022-1424842022 & PID2022-142484NB-C22). The PaxNatura Projects (Nature, Conflict and Cooperation: The Transformative Power of Law over Actors, Spaces, Resources, Behaviors and Harm) is composed of two parts: Making Peace with Nature and Making Nature a Key for Peace (PI) and Making Justice to Make Peace with Nature: The Judicialization and other Forms of Jurisdictional and Institutional Protection of Nature (PII). This project is also funded by the European Union Regional Development Fund.



MINISTERIO DE CIENCIA E INNOVACIÓN

PaxNatura



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FONDO EUROPEO DE DESARROLLO REGIONAL
"Una manera de hacer Europa"

This Symposium is held in the margins of the Second Global Meeting of National Focal Points to the Montevideo Environmental Law Programme (UNEP, Nairobi, 3-5 June 2024).

- Scientific Committee: Dr. Grethel Aguilar (IUCN and ICEL); Justice Antonio H. Benjamin (ICEL and GJIE); Prof. Patricia Kameri-Mbote (UNEP and University of Nairobi); Mr. Andrew Raine (UNEP); Prof. Nicholas Robinson (ICEL); Prof. Christina Voigt (IUCN-WCEL and ICEL).
- Organizing Committee. Dirs.: Prof. Collins Odote (University of Nairobi and ICEL) / Ms. Juliana Almeida (UNEP) / Prof. Montserrat Abad, Prof. Joaquín Alcaide and Prof. Laura Carballo (Pax Natura I & II). Coords.: Prof. Juan-Cruz Allí and Dr. Laura Movilla (Pax Natura I & II). Academic Secretariat: Dr. Susana Borrás, Dr. Thomas Hansen, Dr. Marta Sobrido, Dr. Lieselotte Viaene and Mr. Felipe Romero (Pax Natura I); Dr. Laura García Álvarez and Dr. Rafael Velázquez (Pax Natura II).

Partners: IUCN World Commission on Environmental Law (IUCN-WCEL) & Global Judicial Institute on the Environment (GJIE).



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