



CONFERENCE
CLIMATE CHANGE CASES BEFORE NATIONAL AND
INTERNATIONAL COURTS – CROSS-FERTILIZATION AND
CONVERGENCE

Paris, 27 November 2021
09.00 – 18.30

Organised under the auspices of the **University of Oslo – Faculty of Law, Université Paris 1 Panthéon/Sorbonne – IREDIES (Institut de recherche en droit international et européen de la Sorbonne), University of Göttingen - Institut für Völkerrecht und Europarecht, University of Strasbourg - Centre d'Études Internationales et Européennes (CEIE), Høgskolen i Innlandet (Lillehammer), IUCN World Commission on Environmental Law, and Centre Universitaire de Norvège à Paris.**

Organising Committee

Mads Andenas, Freya Baetens, Emanuel Castellarin, Johann Ruben Leiss, Paolo Palchetti, and Christina Voigt

Venue

The seminar will be held in Paris.

On-site: Salle 1, Centre Panthéon, 12 Place du Panthéon 75005 Paris.

Participants may take part via zoom. If COVID restrictions do not permit the on-site part, it will all and only be on-line.

*The seminar will be held in English and French.
Le séminaire se déroulera en français et en anglais.*

09.00- 09.15 **Registration**

09.15 - 09.30 **Welcome**

Christina Voigt, Mads Andenas, Freya Baetens, Emanuel Castellarin, Johann Ruben Leiss

09.30 - 11.00 **THE LEGAL BASIS FOR CLIMATE CHALLENGES: HUMAN RIGHTS AND ADMINISTRATIVE LAW IN UN, EUROPEAN AND DOMESTIC LAW**

Chair **Yann Kerbrat**

Christina Voigt, *Legal Bases of Climate Change Claims: Successes, Failures and Expectations*

Fabien Raynaud, *The Possible Fruitful Combination of International, European and National law: the Grande-Synthe Case*

Annalisa Savaresi, *The role of the right to a clean, healthy and sustainable environment in climate change litigation*

11.00 -11.15 **Coffee break**

11.15 - 12.00 **PROCEDURAL PRINCIPLES AND HURDLES**

Chair **Freya Baetens**

Ludovica Chiussi, *Procedural Hurdles in Climate Change Cases Before the ECtHR*

Elisabeth Lambert, *Proof as Hurdles to the Access to the ECHR on Environmental Issues*

Gerry Liston, *How to Jump the Hurdles*

12.15 - 13.00 **THE TEMPORAL DIMENSION: IMMINENCE AND INTERTEMPORALITY**

Chair **Marie-Anne Frison-Roche**

Andreas L. Paulus, *Intergenerational Equity and the Temporal Dimension of Fundamental Rights*

Laura Burgers, *The Representation of Future Generations and the 'Minimum Principle'*

12.45 -14.00 **Lunch break**

14.00 -15.15 **THE INTERNATIONAL DIMENSION: CROSS-BORDER EFFECTS AND THE OBLIGATION OF INTERNATIONAL COOPERATION**

Chair **Duncan Fairgrieve**

Johann Ruben Leiss, *'Open statehood' and Climate Change: Lessons from the Climate Judgment of the German Federal Constitutional Court*

Maša Kovič Dine, *Climate Change Litigation 2.0: Future Direction From Past Cases*

Mamadou Hébié, *The ICJ Costa Rica/Nicaragua Cases: Environmental Law Obligations and the Duty of Compensation*

15.15 -15.30 **Coffee break**

15.30 -16.45 **THE INTERNATIONAL DIMENSION: CLIMATE CHANGE BEFORE INTERNATIONAL JUDICIAL BODIES**

Chair **Emanuel Castellarin**

Hélène Tigroudja, *Climate Change before the Committee on the Rights of the Child*

Ludovic Hennebel, *Climate Change before the Committee on Economic, Social and Cultural Rights*

Margaretha Wewerinke, *The Role of Litigation in Closing the Climate Accountability Gap: From Domestic Courts to the International Court of Justice*

16.45 -17.30 **THE PRECAUTIONARY PRINCIPLE AND ENVIRONMENTAL IMPACT ASSESSMENTS IN HUMAN RIGHTS AND ADMINISTRATIVE LAW**

Chair **Giacinto della Cananea**

Joana Setzer, *The Precautionary Principle in Climate Litigation*

Mads Andenas, *Standards of Review*

17.30-18.00 **CONCLUDING DISCUSSION**

20.00 **DINNER (FOR SPEAKERS)**

Participants

Alogna, Ivano	British Institute of International and Comparative Law, University of Paris 1 Panthéon-Sorbonne
Andenas, Mads	University of Oslo; Institute of Advanced Legal Studies, School of Advanced Study, University of London.
Baetens, Freya	University of Oslo
Bianco, Giuseppe	Organisation for Economic Co-operation and Development (OECD)
Burgers, Laura	University of Amsterdam
Castellarin, Emanuel	University of Strasbourg
Lord Carnwarth, Robert	Former Justice Supreme Court of the UK
Chiussi, Ludovica	University of Bologna
della Cananea, Giacinto	Bocconi University
Fairgrieve, Duncan	British Institute of International and Comparative Law, Université de Paris Dauphine
Frison-Roche, Marie-Anne	Science Po
Hébié, Mamadou	Leiden University
Hennebel, Ludovic	University of Aix-en-Provence, Advisory Committee of the UN Human Rights Council and the UN Working Group on Communications of the Complaints Procedure of the Human Rights Council
Kerbrat, Yann	Director of IREDIES, Paris 1
Kovič Dine, Maša	University of Ljubljana
Lambert, Elisabeth	University of Strasbourg

Leiss, Johann Ruben	Inland Norway University of Applied Science (Lillehammer), Guest Researcher PluriCourts (University of Oslo)
Liston, Gerry	Global Legal Action Network (GLAN)
Nordby, Marius	International Commission of Jurists (Norway), Fagbokforlaget (publisher), Oslo and Bergen
Voigt, Christina	University of Oslo
Paolo, Palchetti	Université Paris 1 Panthéon/Sorbonne; University of Macerata
Paulus, Andreas L.	University of Göttingen, Justice at the German Federal Constitutional Court
Raynaud, Fabien	Conseil d'Etat
Savaresi, Annalisa	University of Eastern Finland, University of Stirling
Setzer, Joana	London School of Economics and Political Science (LSE)
Smit, Lise	British Institute of International and Comparative Law
Tigroudja, Hélène	Aix-Marseille University, UN Human Rights Committee
Wewerinke-Singh, Margaretha	Leiden University