

RULE
OF
LAW
FOR
NATURE

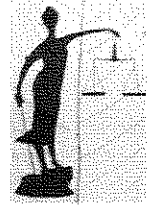


Oslo, 9-11 May 2012

INVITATION



UiO : Faculty of Law
University of Oslo



Environmental Law Conference in Oslo, Norway, 9.-11. May 2012

“Rule of Law for Nature”

Basic Issues and New Developments in Environmental Law

The year 2012 marks a number of watershed points in international environmental affairs: The 40th anniversary of the adoption of the Stockholm Declaration, the 30th anniversary of the UN World Charter for Nature and the UN Convention on the Law of the Sea, the 25th anniversary of the Brundtland Report, and the 20th anniversary of both the Rio Declaration, Agenda 21, and the UNCED Conventions: the Framework Convention on Climate Change and the Convention on Biological Diversity.

In June 2012 world leaders will gather once again in Rio de Janeiro for the Earth Summit 2012 to secure renewed political commitment to the global agenda of sustainable development.

This is an appropriate point in time for reflection on the legal status of nature, how environmental goods and services are valued and taken into account in decision-making, and the implications of the rule of law in this respect.

While the rule of law generally is used with regard to citizens’ rights, this conference aims to explore the application of the rule of law to environmental protection, and its implications. How can the legal protection of the natural environment be strengthened? This also opens for reflections on the temporal and geographical extension of the rule of law.

The conference aims at analysing these basic issues of international and national environmental law and looking at new trends in this area of law.





PROGRAMME

Wednesday, 9 May

Place: Gamle festsal, Domus Academica, University of Oslo, Karl Johans gt. 47

9.00-10.00 Registration, coffee

10.00 -11.00 Welcome and opening session

11.00-12.15 Keynotes

Edith Brown Weiss, Professor, Georgetown University, USA

Klaus Bosselmann, Professor, University of Auckland, New Zealand

Nicholas Robinson, Professor, Pace University Law School, USA

12.15-13.15 Lunch

13.15-17.00 Session 1 Fundamental issues in environmental law (plenary)

13.15-13.45 *Towards an Environmental Rule of Law*,
Bruce Pardy, Professor, Queen's University, Kingston, Canada

13.45-14.15 *Ecological Proportionality – a Principle of Social Norms and the Law?*
Gerd Winter, Professor, University of Bremen, Germany

14.15-14.45 *Hot, Cruel, and Legal: A Look at Industrial Agriculture in the U.S. & Brazil and the Rhetoric of Cost/Benefit Analysis*
David Cassuto, Professor, Pace University Law School, USA

14.45-15.15 Break

15.15-15.45 *A Right of 'Non-use' for Nature*
Jan G. Laitos, John A. Carver, Jr. Professor, University of Denver, USA

15.45-16.15 *The Rule of Nature's Law*
Cormac Cullinan, Director, Cullinan & Associates, South Africa

16.15-16.45 *Earth Law: Ecocide, Earth Rights and Restorative Justice*
Polly Higgins, barrister, UK

16.45-17.00 Closing.

18.30-22.00 Boat trip and dinner





Thursday 10 May

Place: Edderkoppen Theatre and Scandic Hotel, St.Olavs plass 4

09.00-12.30 Morning sessions: Three parallel sessions

Session 2 Ecosystem services and the ecosystem approach

The Ecosystem Approach – General Issues

09.00-09.30 *The Consistent Appreciation of Ecosystems in Modern Environmental Law*
Froukje Maria Platjouw, PhD student, University of Oslo, Norway

09.30-10.00 *Legitimacy, Accountability and Equity as Prerequisites in the Regulatory Frameworks for Ecosystems Services*
Thoko Kaime, Dr. and Rosalind Malcolm, Professor, University of Surrey, UK

10.00-10.30 *General International Legal Principle of Ecosystem Restoration*
Anastasia Telesetsky, Associate professor, University of Idaho, USA

10.30-11.00 **Break**

The Ecosystem Approach - Water and the Marine Environment

11.00-11.30 *Law as if Ecology Mattered: Ecosystem Services Approaches to Regulation of the Marine Environment*
Karen Morrow, Professor, Swansea University, UK

11.30- 12.00 *Refocusing on the Watershed: Integrating an Ecosystem Approach within Water Supply and Access Arrangements*
Rebecca Bates, Lecturer, Brunel University, UK

12.00-12.30 *Law, Aquatic Ecosystems and Sustainable Fishery*
Anna Christiernsson, Research fellow, and Gabriel Michanek, Professor, Uppsala University, Sweden

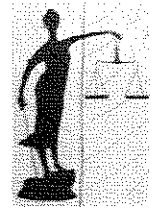
Session 3 New Principles in International Environmental Law

Thinking afresh: New ideas and innovative concepts

09.00-09.30 *Arguing Global Environmental Constitutionalism*
Louis J. Kotzé, Professor, North West University, South Africa

09.30-10.00 *Responsibility to Protect and the Environment*
Lotta Viikari, Professor, University of Lapland, Finland





10.00-10.30 *Reconceiving the Role of Law for Global Environmental Problems: Issue Linkage & Polycentrism*
Andrew Long, Associate Professor, Florida Coastal School of Law, USA

10.30-11.00 **Break**

Dynamic Principles /Established Principles Revisited

11.00-11.30 *Exploring the Boundaries of common but differentiated responsibilities*
James Harrison, Lecturer, Edinburgh School of Law, UK

11.30-12.00 *The Principles of Integration and Environmental Integrity*
Christina Voigt, Associate Professor, University of Oslo, Norway

12.00-12.30 *Outsourcing Pressure – Private Implementation of International Environmental law in the European Context*
Christina Verones, PhD candidate, Graduate Institute of International and Development Studies, Geneva, Switzerland

Session 4 New Approaches in Environmental Decision-making

09.00-09.30 *Approaches to Globalising Procedural and Participatory Rights in Environmental Matters*
Jonas Ebbesson, Professor, Stockholm University, Sweden

09.30-10.00 *Lessons Learned in the Legal Representation of the Interests and Rights of Future Generations*
Sébastien Duyck, PhD candidate, University of Lapland, Finland

10.00-10.30 *Meeting the Challenges of Natural Resource Management through Public Participation*
Rizwana Yusuf, Barrister and Director, Institute of Hazrat Mohammad SAW, Bangladesh

10.30-11.00 **Break**

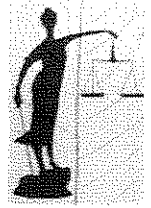
11.00-11.30 *Towards a New Instrument for Promoting Sustainability Beyond the EIA and the SIA: the Holistic Impact Assessment (HIA),*
Massimiliano Montini, Professor, University of Siena, Italy

11.30-12.00 *Counting Nature and the Nature of Counting*
Natasha Affolder, Associate Professor, University of British Columbia, Canada

12.00-12.30 *An Environmental Perspective on Administrative Enforcement Law*
Annika Nilsson, Post doctor, Stockholm University, Sweden

12.30-13.30 **Lunch in the Edderkoppen Theatre**





13.30-17.00 Afternoon sessions. Three parallel sessions

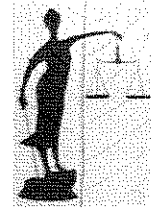
Session 5 Protection of the Marine Environment

- 13.30-14.00 *The Law of the Sea for an Anthropocene Epoch?*
Davor Vidas, Professor, The Fridtjof Nansen Institute, Norway
- 14.00-14.30 *UNCLOS Thirty Years On: A Furtherance or Obstacle to the Protection of the Marine Biodiversity?*
Tore Henriksen, Professor, University of Tromsø, Norway
- 14.30-15.00 *UNCLOS Thirty Years On: A South Pacific Perspective*
Kerry Tetzlaff, Lecturer, University of the South Pacific
- 15.00-15.30 **Break**
- 15.30-16.00 *Protecting the Deep: Conceptions of Risk and the Regulation of Uncertainty in Protecting Marine Biodiversity in Areas beyond National Jurisdiction*
Rosemary Rayfuse, Professor, University of New South Wales, Australia
- 16.00-16.30 *International Law and the Protection of the Global Commons*
Bettina Boschen, PhD Fellow, Utrecht University, the Netherlands
- 16.30-17.00 *Conserving Biodiversity in the Global Marine Commons: Developing Environmental Impact Assessment and Strategic Environmental Assessment Frameworks for Marine Areas beyond National Jurisdiction*
Robin Warner, Associate Professor, University of Wollongong, Australia
- 17.00-17.30 *The International Regulation of Deep-Sea Fisheries on the High Seas: How can the Legal Protection of the Natural Environment be Strengthened?*
Yoshinobu Takei, Research Associate, Utrecht University, the Netherlands

Session 6 Perspectives from Developing Countries

- 13.30-14.00 *Traditional Norms and Environmental Law - the Sub-Saharan African Case Study*
Chinweze Chizoba, Director, Chemtek Associates, Nigeria, Jideani Chukwuemeka, Chief Executive Officer, Ethics & Corporate Compliance Institute Nigeri, and Gwen Abiola-Oloke, Chief Executive Officer, Continental Bank-Benin, Benin
- 14.00-14.30 *Actualising the Ecosystem's Approach in Biodiversity Legislation – South Africa's Contemporary Experimentation*
Alexander Paterson, Associate Professor, University of Cape Town, South Africa
- 14.30-15.00 *Environment, Financialization and Legal Authority*
Pramod Kumar Yadav, Assistant professor, Adani Institute of Infrastructure Management, Ahmedabad, India
- 15.00-15.30 **Break**





- 15.30-16.00 *The Challenges of Implementing Law of the People's Republic of China on Evaluation of Environmental Effects at Locals*
Chunhong Sheng, Doctoral student, Freie Universität Berlin, Germany
- 16.00-16.30 *A Rights-based Approach to Conserve Protected Areas in China*
Miao He, PhD student, and An Cliquet, Professor, Ghent University, Belgium.
- 16.30-17.00 *The Actual Changes on Brazilian Forestry Legislation and the Principle of Non-Regression in Environmental Law*
Ana Stela Vieira Mendes Câmara, PhD Candidate, Federal University of Ceará, Brazil, and Julia Mattei de Oliveira Maciel, PhD Candidate, University of Cologne, Germany

Session 7 Environmental Protection in Corporate and Trade Law

Greening Corporate Behaviour and Investment

- 13.30-14.00 *Sustainability Rating from the Legal Perspective*
Gudula Deipenbrock, Professor, Hochschule für Technik und Wirtschaft, Berlin, Germany
- 14.00-14.30 *Taking Nature Seriously: Taming Corporate Profiteering by Guidelines and Principles*
Surya Deva, Associate Professor, City University of Hong Kong, China
- 14.30-15.00 *Environmental Sustainability through Sustainable Company Law. Company Law's Contribution to the Rule of Law for Nature*
Beate Sjøfjell, Professor, University of Oslo, Norway
- 15.00-15.30 **Break**

Using Market and Trade for Environmental Ends

- 15.30-16.00 *Trade and Market Measures to Combat IUU Fishing: International and Regional Development and the Impacts on China's Fisheries Law*
Qin He, Research fellow, Ghent University, Belgium
- 16.00-16.30 *Environmental Goods and Services: Coherency in International Trade Law*
Francesco Sindico, Lecturer in International Law, University of Dundee, UK.
- 16.30-17.00 *Regulating the GHG Emissions and Biodiversity by Sustainability Criteria*
Ellen Margrethe Basse, Professor, Aarhus University, Denmark
- 17.00-17.30 *The impact of environmental corporate social responsibility policies on climate related border tax adjustments*
Anita Halvorssen, Adjunct Professor, University of Denver, USA and Ottavio Quirico, Dr., European University Institute, Italy
- 17.30-18.30 **Reception in the Edderkoppen Theatre**





Friday 11 May

Place: Edderkoppen Theatre

09.00-12.00 Session 8 Rights and Ethics in Environmental Protection (plenary)

09.00-09.30 *Recognizing Waterway Rights in Law – A Path to Water Sustainability*
Linda Sheehan, Executive Director, Earth Law Centre, California, USA

09.30-10.00 *The Rights of Future Generations of People in South Africa's Strategic Approach of 'Climate Resilient Development'*
Anel du Plessis, Associate Professor, North West University, South Africa

10.00-10.30 *Climate Change and Human Rights. Principles, Practice and Protection*
Edward Cameron, Director, International Climate Initiative, World Resources Institute, USA
and Marc Limon, Advisor, Permanent Mission of the Republic of Maldives to the United Nations Office at Geneva, Switzerland.

11.30-11.00 **Break**

11.00-11.30 *The Public Trust Doctrine: Where Ecology Meets Natural Resources Law and Policy*
Mary Turnipseed, Research fellow, University of California, USA

11.30-12.00 *Strengthening the Legal Protection of Essential Ecosystems for the Benefit of Future Generations: An Indigenous Perspective from Aotearoa New Zealand*
Linda Te Aho, Senior lecturer, University of Waikato, New Zealand

12.00-13.00 **Lunch**

13.00-15.00 Session 9 Panel discussion: "Rule of Law for Nature": The Road Forward

Introduction and panel chair: Hans Christian Bugge, Professor, University of Oslo
The Panel will identify and discuss important ideas and progressive proposals made at the conference. All conference participants are invited to contribute.

The Panel members will be chosen during the conference.

15.00 Closing of the Conference.





The conference is organised by the Natural Resources Law Group at the Faculty of Law, University of Oslo, chaired by professor Hans Christian Bugge.

[Conference Web Page](#)

The Natural Resources Law Group

University of Oslo

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Deadline for Registration:

April 1st 2012



