



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, Department of Private Law and PluriCourts**, **Université Paris 1 Panthéon/Sorbonne – IREDIES (Institut de recherche en droit international et européen de la Sorbonne)**, **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.

Please register under the following link: <https://iredies.pantheonsorbonne.fr/evenements/climate-change-cases-national-and-international-courts>.

Participation via Zoom is possible and requires registration under the same link. 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 **Freya Baetens**

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*

Johan Wibye, *Individuals as Third Parties to Constitutional Rights: The 2020 Norwegian Supreme Court Climate Case*

11.00 -11.15 **Coffee break**

11.15 - 12.00 **PROCEDURAL PRINCIPLES AND HURDLES**

Chair **Duncan Fairgrieve**

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

Elisabeth Lambert, *A pragmatic evidence-based approach*

Gerry Liston, *The Admissibility of the Case of Duarte Agostinho v Portugal and 32 other States*

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'*

13.00 -14.00 **Lunch break**

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

Chair **Yann Kerbrat**

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

Ivano Alogna, *The Global Circulation of Climate Change Litigation Models*

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

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 **Thomas Perroud**

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

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^z, *The Precautionary Principle in Climate Litigation*

Marius Nordby, *As to the Facts – The Factual Side of Climate Change Litigation*

17.30-18.00 **CONCLUDING DISCUSSION**

20.30 **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; Professor II Inland Norway University of Applied Science (Lillehammer)
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
Chiussi, Ludovica	University of Bologna
della Cananea, Giacinto	Bocconi University
Fairgrieve, Duncan	British Institute of International and Comparative Law, Université de Paris Dauphine
Fahrner, Ambroise	University of Paris Nanterre
Fraser, Julie	Utrecht University
Frison-Roche, Marie-Anne	Science Po
Hartmann, Jacques	University of Dundee
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
Kessedjian, Catherine	University of Paris II Panthéon-Assas
Kovič Dine, Maša	University of Ljubljana
Lambert, Elisabeth	CNRS/SAGE, 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, PluriCourts
Paolo, Palchetti	Université Paris 1 Panthéon/Sorbonne; University of Macerata
Parona, Leonardo	Bocconi University
Paulus, Andreas L.	University of Göttingen, Justice at the German Federal Constitutional Court
Perroud, Thomas	Université Paris 2 Panthéon-Assas
Raynaud, Fabien	Conseil d'Etat
Savaresi, Annalisa	University of Eastern Finland, University of Stirling
Scheinin, Martin	European University Institute
Setzer, Joana^z	London School of Economics and Political Science (LSE)
Smit, Lise	British Institute of International and Comparative Law

Tigroudja, H el ene Aix-Marseille University, UN Human Rights Committee

Wewerinke-Singh, Margaretha Leiden University

Waibel, Michael University of Vienna

Wibye, Johan University of Oslo, PluriCourts