

Summer Programme International and European Environmental Law: *Making it Work*

29 August – 2 September 2016

Note: Introductory lectures on international and European environmental law will be provided for participants with a non-legal background, or those who want to refresh their knowledge.

Day 1 Monday 29 August Setting the scene	
9.00 – 9.15	Registration
9.15 – 9.30	Official opening
9.30 – 10.45	<p>The effectiveness of international environmental law and non-binding instruments</p> <p>This introduction will deal with various factors that can determine the success or failure of binding and non-binding international regimes aimed at protecting the environment or promoting sustainable development.</p>
10.45 – 11.00	Coffee break
11.00 – 12.15	<p>The effectiveness of European environmental law and non-binding instruments</p> <p>This lecture will look at how European environmental law works in practice and how it sets the scene for the EU Member States and for others. The use of non-binding recommendations and voluntary agreements, instead of or combined with legislation, will also be discussed.</p>
12.15 – 13.15	Lunch
13.15 – 14.30	<p>Better regulation in the EU</p> <p>Following up on the previous lecture, the EU efforts to improve the functioning of European environmental law (EEL) will be examined. Notably, the manner in which EEL is evaluated and improved, and the horizontal 'Make it Work' project on monitoring and reporting will be dealt with.</p>
14.30 – 15.45	<p>Implementing the UN Sustainable Development Goals (SDGs)</p> <p>The SDGs form the follow-up to the Millennium Development Goals (MDGs) after their 2015 deadline. Questions addressed will be: what do the SDGs encompass, how will they be realised, and what is the role of non-state actors and of the High Level Political Forum?</p>

15.45 -16.00	Coffee break
16.00 – 17.15	<p>The Paris Climate Agreement: introduction & group assignments</p> <p>This session will explain basic elements of the 2015 Paris Climate Agreement, the role of states and non-state actors, and the envisaged review mechanism. The participants will be asked to cooperate in small groups to prepare a position under the Agreement that will be defended and discussed later in the week under the supervision of a climate negotiator.</p>
18.00	Opening Dinner

Day 2 Tuesday 30 August Sustainable development, trade and Aarhus	
9.15 – 10.45	<p>Promotion of sustainable development by the European Union through trade</p> <p>This lecture will look at the duty to integrate sustainable development aspects in trade agreements as laid down in the EU treaties, and notably at the sustainable development chapters in existing trade agreements and in the proposed Transatlantic Trade and Investment Partnership (TTIP).</p>
10.45 – 11.00	Coffee break
11.00 – 12.30	<p>The Aarhus Convention: monitoring compliance with environmental law</p> <p>The innovative compliance system will be the focus of this lecture, with features that in many aspects could serve as an example for other Multilateral Environmental Agreements (MEAs).</p>
12.30 – 13.30	Lunch
13.30 – 15.00	<p>The EU on its way to a circular economy</p> <p>This lecture will address how the revised EU plans for a transition towards a circular economy are to boost competitiveness and foster sustainable economic growth. Could these plans work?</p>
15.00 – 15.15	Coffee break
15.15 – 16.45	<p>Biodiversity and trade in endangered wildlife</p> <p>The application in practice and enforcement of internationally agreed rules on biodiversity and trade in endangered wildlife seems to be the largest challenge where this topic is concerned. The best way forward towards more effective enforcement will be among the topics discussed.</p>

Day 3 Wednesday 31 August Climate change	
9.15 – 10.45	<p>Global and EU efforts regarding forestry and climate change</p> <p>This session will deal with fighting climate change by reducing deforestation and forest degradation, notably in developing countries, through the EU and UN frameworks (in particular FLEGT, VPAs, REDD+). Special attention will be paid to due diligence systems and enforcement challenges.</p>
10.45 – 11.00	Coffee break
11.00 – 12.30	<p>The Urgenda case</p> <p>The Urgenda verdict in first instance determined that the Dutch state needs to step up its fight against climate change. It sparked a fierce debate on the role of the judiciary versus that of the legislature. In this lecture, various legal aspects of this case will be examined.</p>
12.30 – 13.30	Lunch
13.30– 15.00	<p>The EU perspective on Paris 2015 and the future of the EU's Emissions Trading System</p> <p>The EU has been on the forefront of a binding climate agreement in Paris, but its own Emissions Trading System is not functioning optimal as an instrument to lower greenhouse gas emissions. What line of action is envisaged to make Paris work in the EU and in developing countries?</p>
15.00 – 15.15	Coffee break
15.15 –17.15	<p>Climate Change Workshop “Making the Paris Climate Agreement Work”</p> <p>Representing different (groups of) countries, the participants will defend positions on how to make the Paris Climate Agreement work, and will try to come to an agreement on this, under the lead of an actual climate change negotiator.</p>

Day 4 Thursday 1 September 2016 Dispute settlement	
9.15 – 10.45	<p>International law & dispute settlement in environmental cases</p> <p>Different bodies are involved in the adjudication of environment related disputes. This session will discuss the role of the International Court of Justice (ICJ), International Tribunal for the Law of the Sea (ITLOS), the European Court of Human Rights (ECtHR) and other institutions, as well as the way in which national courts deal with norms of international environmental law.</p>
10.45 – 11.00	Coffee break

11.00 – 12.30	<p>The EU system of adjudicating environmental cases</p> <p>This lecture will address both the Court of Justice of the EU (CJEU) and the member states' national courts roles in adjudicating environmental cases. Notably, the possibility to impose large fines if States fail to implement or apply EU environmental norms, and the manner in which the CJEU deals with norms of international environmental law will be touched upon.</p>
12.30 – 13.30	Lunch
13.30 – 14.30	<p>Recent jurisprudence of the ICJ on environment related matters</p> <p>In further preparation of the visit to this UN institution, this lecture will take a closer look at environment related ICJ disputes like <i>Costa Rica v. Nicaragua</i> on the construction of roadworks near their borders, <i>Australia v Japan</i> on whaling and <i>Argentina v. Uruguay</i> on paper mills.</p>
15.00 – 17.00	<p>Study visit International Court of Justice Lecture + Tour of the Peace Palace</p>

Day 5 Friday 2 September 2016
Water, financing and cross-cutting issues

9.15 – 10.45	<p>Sustainable water management</p> <p>This lecture will examine different aspects of sustainable water management, focusing <i>inter alia</i> on the challenges in setting up regimes that satisfy the needs of various stakeholders, principles of water management and institutional aspects.</p>
10.45 – 11.00	Coffee break
11.00 – 12.30	<p>Sustainable financing</p> <p>This lecture will focus on sustainable financing. Private and public financing institutions and pension funds can play an important role in the protection of the environment and the transition towards sustainability. Which instruments do they use and do these suffice?</p>
12.30 – 13.30	Lunch
13.30 – 15.00	<p>Non-state actors, environment and sustainable development</p> <p>Having discussed the various regimes in the course of the week, this lecture will focus on the role of non-state actors. How can they contribute to the protection of the environment and promotion of sustainable development?</p>
15.00 – 15.15	Coffee break
15.15 – 15.45	Wrap-up Lecture Lessons learned and the way forward
15.45 – 16.45	Written Evaluation
16.45 – 17.15	Certificate Ceremony
17.15 – 18.15	Reception

* Please note that this programme is subject to change.