



THE SWEDISH NETWORK FOR EUROPEAN LEGAL STUDIES
IN COLLABORATION WITH
THE FACULTY OF LAW AT LUND UNIVERSITY

HAS THE GREAT PLEASURE
OF INVITING YOU TO A CONFERENCE ON:

Environmental Rights in Europe and Beyond

April 21-22, 2016
Lund

| Pufendorf Hall, Faculty of Law at Lund University |

Global resources and the environment are under great pressure. An emerging *environmental rights revolution* is thought to be able to change this in favour of the environment. Such a revolution is linked to at least three trends in environmental law.

One trend is the act of constitutionalising ‘rights of nature’ or enshrining positive environmental rights into constitutions. Such codification is not necessarily of a human rights character, still, it raises important questions concerning whether environmental protection may be framed in terms of human rights, and if so, how such rights might, nonetheless, differ from other ‘classic’ human rights, such as property rights or the right to life.

The second trend is the rise of participatory rights, as embodied by the Århus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. This corpus of international environmental law forms a fundamental part of discussions on how participation may legitimise decision-making, and make environmental law more effective, including by broadening the range of actors able to rely on environmental law before the court.

The third trend is the increased application of marketable rights to promote efficient use of natural resources. Creating such markets often presumes the creation of property rights in nature but, in fact, such environmental rights take various forms, including mere access rights.

Each of these trends will be examined by speakers in this conference who will consider the issues in their national, European and international contexts.

Program

Day 1: Thursday, 21 April

- 13.15 **Arrival and registration**
Pufendorf Hall, Lund University
- 13.45 **Opening address and welcome note**
Professor Antonina Bakardjieva Engelbrekt, Chairman of the Network, Stockholm University,
Professor Mia Rönnmar, Dean of the Faculty of Law, Lund University,
Associate Professor, Sanja Bogojevic, conference organiser, Lund University
- 14.00 **National Perspectives**
Chair: Professor Rosemary Rayfuse, UNSW Australia and co-joint at Lund University
- Environmental Rights: The U.S. Perspective**
Professor Lisa Heinzerling, Georgetown Law
- Swedish Land and Environment Courts –Specialized, National Courts in a European Perspective**
Judge Anders Bengtsson, Swedish Land and Environment Court/Mark- och miljödomstolen, Växjö district court/tingsrätt
- Pragmatism, Activism, Rights and the Environment - the UK experience**
Professor Karen Morrow, Swansea University
- 15.30 **Coffee**

- 16.00 **Justiciability and Environmental Rights**
Chair: Professor Xavier Groussot, Lund University
- National Courts as drivers for Environmental Justice**
Professor Jan Darpö, Uppsala University
- Article 37 and the Principle of Sustainable Development – Reasoning about Environmental Principles in the European Courts**
Senior Lecturer Eloise Scotford, The Dickson Poon School of Law, King’s College London
- Environmental Justice through the Aarhus Convention**
Professor Jonas Ebbesson, Stockholm University
- Litigation-based Europe: A Case for Environmental Rights?**
Doctoral student Daniel Kolm, Lund University
- 18.00 **End of first day**

Day 2: Friday, 22 April

- 9.00 **International Courts and Tribunals**
Chair: Director Morten Kjaerum, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund
- Environmental Rights and the Court of Justice of the European Union**
Advocate General Eleanor Sharpston, Court of Justice of the EU
- Environmental Rights and the Strasbourg Court**
Judge Elisabeth Steiner, European Court of Human Rights
- International Tribunals and Environmental Rights**
Professor Rosemary Rayfuse, UNSW Australia and Co-joint at Lund University
- 10.30 **Coffee break**

- 11.00 **Substantive Environmental Rights**
Chair: Professor Annika Nilsson, Lund University
- Substantive Environmental Rights in the EU: Doomed to Disappoint?**
Professor Chris Hilson, University of Reading
- The Right to Water of Good Status**
Professor Lena Gipperth, Göteborg University
- Environmental Rights in Marine Spaces (Or at Sea!)**
Professor Richard Barnes, University of Hull
- 12.30 **Lunch**
- 14.00 **The Potentials and Pitfalls of Environmental Rights**
Chair: Associate Professor Julian Nowag, Lund University
- Pitfalls in Promoting Environmental Rights**
Professor Colin Reid, University of Dundee
- Environmental Rights in Market-Based Management**
Associate Professor Sanja Bogojevic, Lund University
- The Rights of Renewable Energy Investors under International Investment Law**
Associate Professor Anatole Boute, The Chinese University of Hong Kong
- 15.30 **Concluding Remarks**
Associate Professor, Sanja Bogojevic, Lund University
Professor Rosemary Rayfuse, UNSW Australia and Co-joint at Lund University
- 16.00 **End of conference**

The conference is free of charge
For registration please fill in the form at
<http://snef.se/sv/event/registration-0>