



Centre
des études internationales et européennes CEIE
Université de Strasbourg



World Commission
on Environmental Law

Commission Mondiale de
Droit de l'Environnement | Comisión Mundial
de Derecho Ambiental



PLURI
COURTS



Climate Change Cases before National and International Courts

Cross-fertilization and Convergence

Saturday 27th November 2021 (09:00 at 18:30)

In situ: Salle 1 - Centre Panthéon - 12 Place du Panthéon 75005 Paris (subject to the number of places available)
Online on the Zoom application

Program

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, *Proof as Hurdles to the Access to the ECtHR on Environmental Issues*

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'*

12.45 -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*

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*

Marius Nordby, *Evidentiary Standards*

17.30-18.00 CONCLUDING DISCUSSION

20.00 DINNER (FOR SPEAKERS)