

The Rio Declaration on environment and development: Assessing its impact after 20 years

4-5 October 2013

Centre for International Environmental Studies
The Graduate Institute - Geneva

Brief description of the symposium

The Rio Declaration on Environment and Development is increasingly regarded as the most representative instrument of the entire field of sustainable development. Adopted in 1992, at the Earth Summit, the Declaration has not only taken stock of developments prior to its adoption but it has also provided the frame for the subsequent development of efforts to protect the environment without jeopardizing economic and social development. The symposium will gather the contributors to the first commentary of the Rio Declaration, currently being edited by Professor Jorge E. Viñuales for Oxford University Press (J. E. Viñuales (ed.), *The Rio Declaration on Environment and Development. A Commentary*, Oxford Commentaries on International Law, forthcoming 2014). The target audience is not only the environmental community in Geneva (whether academics, policy-makers or practitioners working in international organizations, NGOs or the private sector) but also students from different academic institutions and, more generally, all those interested in understanding the future development of international environmental law after the Rio+20 Summit.

DAY 1

12:00 – 12:30 – Registration

12:30 – 14:15 – First panel together with informal lunch

(1) The Rio Declaration and Environmental Principles:

Chair: Prof. Jorge E. Viñuales (University of Cambridge – United Kingdom)

Presentations:

- *Principle 2 – Prevention in contemporary international law* (Prof. J. E. Viñuales)
- *Principle 4 – Sustainable development as integration* (Prof. Pierre-Marie Dupuy, The Graduate Institute – Geneva, Switzerland; Dr. Virginie Barral, University of Hertfordshire - Hatfield, United Kingdom)
- *Principle 8 – Interactions among the three pillars of sustainable development* (Prof. Christina Voigt, University of Oslo – Oslo, Norway) (skype participation)
- *Principle 17 – The polluter-pays principle* (Dr. Priscilla Schwartz, University of East London, England)

14:15 – 14:45 – Coffee break

14:45 – 16:30 – Second panel

(2) The Rio Declaration and Human Rights:

Chair: Prof. Francesco Francioni (European University Institute – Florence, Italy)

Presentations:

- *Principle 1 – A human right to a healthy environment?* (Prof. Francesco Francioni)
- *Principle 10 – Participatory rights* (Prof. Jonas Ebbesson, University of Stockholm – Stockholm, Sweden) (participating via skype)
- *Principle 20 – Women’s rights* (Ms. Claire Mahon, Global Human Rights Clinic – Geneva, Switzerland)

16:30 – 17:00 – coffee break

17:00 – 18:30 – Third panel

(3) Issues of Implementation in the Rio Declaration

Chair: Prof. Malgosia Fitzmaurice (University of London – Queen Mary – London, United Kingdom)

Presentations:

- *Principle 13: Liability frameworks* (Prof. Malgosia Fitzmaurice)
- *Principle 11: National implementation in comparative perspective* (Ms Martina Kunz, The Graduate Institute – Geneva, Switzerland)
- *Principle 12: Environment and trade* (Prof. Margaret Young, University of Melbourne – Melbourne, Australia)

18:30 – 20:00 – Break

20:00 – Formal dinner with speakers

DAY 2

9:00 – 10:45: Panel four with coffee

(4) Frameworks for Cooperation in the Rio Declaration

Chair: Prof. Laurence Boisson de Chazournes (University of Geneva – Geneva, Switzerland)

Presentations:

- *Principle 19: Transboundary cooperation* (Prof. L. Boisson de Chazournes and Mr. Komlan Sangbana, University of Geneva – Geneva, Switzerland)
- *Principle 18: Cooperation in case of emergencies* (Dr. Phoebe Okowa, University of London – Queen Mary – London, United Kingdom)(skype participation)
- *Principle 17: Environmental impact assessment* (Prof. Neil Craik, University of Waterloo – Waterloo, Canada)
- *Principle 27: Cooperation in a spirit of global partnership* (Prof. Peter H. Sand, University of Munich – Munich, Germany)

10:45 – 11:15: Short break with refreshments

11:15 – 13:00 – Panel five and general round-table

(5) The Rio Declaration from a Broader Perspective:

Chair: Prof. Pierre-Marie Dupuy

Presentations:

- *The Philosophy of the Rio Declaration* (Prof. Pierre-Marie Dupuy)
- *The Preamble of the Rio Declaration* (Prof. Francesco Francioni)
- *The Rio Declaration after 20 years* (Prof. Jorge E. Viñuales)

13:00 – 14:00 – Lunch (at the terrasse of the Villa Moynier)

14:00 – 16:00 – Panel six

(6) The Rio Declaration and the Development Dimension:

Chair: Prof. Philippe Cullet (University of London – SOAS – London, United Kingdom)

Presentations:

- *Principle 7: Common but differentiated responsibilities* (Prof. Philippe Cullet)
- *Principle 6: Differentiation and the needs of the least developed countries* (Dr. Mamadou Hébié, The Graduate Institute – Geneva, Switzerland)
- *Principle 9 – Transfers* (Prof. Sandrine Maljean-Dubois, CNRS and University of Aix-en-Provence – Aix-en-Provence, France)
- *Principle 23: Natural resources of oppressed people* (Dr. Mara Tignino, University of Geneva – Geneva, Switzerland)

General roundtable discussion including all other participants.

Informal dinner with speakers who stay in Geneva.

BIOGRAPHIES OF CONFIRMED CONTRIBUTORS

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Dr Virginie Barral is a Lecturer at the School of Law of the University of Hertfordshire. She holds a Ph.D from the European University Institute. She has worked for the French Ministry for the Environment, and at Eversheds LLP. Virginie is currently completing a monograph based on sustainable development in international law and has several publications in the field. She is also a year in review contributor for the *Yearbook of International Environmental Law*. Her research interests are in the field of general international law, including its environmental aspects, the role of judges and the relationship between courts at the international level.

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Professor Boisson de Chazournes is Professor of International Law and International Organization at the Faculty of Law, University of Geneva, Switzerland. She has gained a wide-ranging reputation in academic circles for her contribution to international law, in such fields as the law of international organisations, international economic law and international environmental law, while at the same time being recognised for her practical work as Senior Counsel to the World Bank and as advisor to many international organisations. Professor Boisson de Chazournes has served as chairperson of WTO arbitration panels and as an arbitrator. She has also pleaded before the ICJ and other dispute settlement fora.

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Philippe Cullet, LL.M. (Lon), JSM, JSD (Stanford), is Professor of International and Environmental Law at SOAS, University of London, the Convenor of the International Environmental Law Research Centre (IELRC) and a Senior Visiting Fellow at the Centre for Policy Research (CPR), New Delhi. He has published widely in environmental law, natural resources law, water law and policy, human rights and the socio-economic aspects of intellectual property. His monographs include *Water Law, Poverty and Development – Water Law Reforms in India* (Oxford University Press, 2009), *Intellectual Property and Sustainable Development* (Butterworths, 2005) and *Differential Treatment in International Environmental Law* (Ashgate, 2003). Professor Cullet engages regularly with policymakers at the national and international levels. He was the Convenor of the Sub-group on groundwater law of the Planning Commission of India that prepared the Model Bill for the Conservation, Protection and Regulation of Groundwater, 2011.

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Pierre-Marie Dupuy is Emeritus Professor of International Law at The Graduate Institute, Geneva. Prior to that he held teaching positions at the University of Strasbourg, Paris Val-de-Marne University, the University of Paris II (Panthéon-Assas) and the European University Institute, Florence. Professor Dupuy has also given the General Course at The Hague Academy of International Law. In addition, he has published many leading texts and articles on various aspects of public international law. Pierre-Marie Dupuy is also a distinguished practitioner having represented numerous sovereign clients before the International Court of Justice and acted as an arbitrator in many well-known international arbitral proceedings, including at the International Centre for the Settlement of Investment Disputes (ICSID) and Permanent Court of Arbitration (PCA). His interests and areas of expertise include international dispute settlement, international environmental law, public international law and international organisations.

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consultant and adviser for various governmental, non-governmental and intergovernmental bodies, including the United Nations Environment Programme (UNEP) and United Nations Economic Commission for Europe (UNECE), the Organisation for Security and Co-operation in Europe (OSCE), the European Environmental Bureau (EEB) and the Nordic Council.

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Malgosia Fitzmaurice holds a chair of public international law at the University of London, Queen Mary, United Kingdom. She specialises in international environmental law and the law of treaties. Professor Fitzmaurice published widely on both subjects. In July 2001, she was invited to deliver keynote lectures on 'International Protection of the Environment' at the Hague Academy of International Law. She lectured widely in the United Kingdom and abroad at various universities, such as Utrecht and Brussels and at the World Bank in 2001. She also participated in many international conferences. Until 2001, she was a member of the Board of Editors and one of the Editors of the Netherlands Yearbook of International Law. She is the Editor in Chief of the International Community Law Review and a Co-Rapporteur of the International Law Association Committee on Non-State Actors. She taught extensively in various law schools, including the United States. Professor Fitzmaurice's previous teaching positions include Readership in international law at the Department of Law, University of Amsterdam. She also worked at the Iran-United States Claims Tribunal in The Hague.

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Claire Mahon is an international human rights lawyer based in Geneva, where she is the Founder and Director of a new social enterprise called Te Atawhai Nation. Te Atawhai Nation comprises of a boutique international human rights law and advocacy consultancy firm (Ngati Mahon International), and an experiential learning centre that specialises in internships and facilitates a Global Human Rights Clinic. In her consultancy practice, she works with NGOs, National Human Rights Institutions, UN agencies and other international organisations, governments, independent experts, and academic institutions and think tanks. She has previously worked for Amnesty International, the International Commission of Jurists, the International Service for Human Rights, the Centre on Housing Rights and Evictions, and the UN Office of the High Commissioner for Human Rights. She was the Special Advisor to Mrs Mary Robinson, former UN High Commissioner of Human Rights and former President of Ireland, from 2009-2010, and legal advisor to former UN Special Rapporteur on the Right to Food, Jean Ziegler, from 2007-2008. In her academic life, Claire has been, inter alia, an Adjunct Clinical Professor of Law at the University of Michigan Law School from 2007-2013, a guest lecturer at the Graduate Institute of International and Development Studies (2007-2010), a guest lecturer for the Australian

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Reader in Public International Law at the University of London, Queen Mary, United Kingdom. She was born and educated in Kenya. She graduated at the top of her class with a Bachelor of Laws degree (First class) from the University of Nairobi and qualified as an advocate of the High Court. Between 1988-1993 she was a graduate student at the University of Oxford where she obtained a Bachelor of Civil Law (BCL) and a Doctorate in Public International Law (D.Phil.) She previously taught at the University of Bristol and has held visiting appointments at the Universities of Stockholm, Helsinki and Lille. In 2011, Dr Okowa was a Hauser Global Visiting Professor at New York University, School of Law. Okowa is the joint editor of Foundations of Public International Law (Oxford University Press- with Professor Malcolm Evans) and the Queen Mary Studies in International Law (Brill with Professor Malgosia Fitzmaurice).

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Jacqueline Peel is a Professor at the Melbourne Law School. She holds the degrees of Bachelor of Science and Bachelor of Laws (Hon I) from the University of Queensland, a Master of Laws from New York University where she was a Fulbright scholar, and a PhD from the University of Melbourne. In 2003-2004, Jacqueline returned to NYU Law School as a Hauser Research Scholar and Emile Noel Fellow. Prior to her appointment at Melbourne, Jacqueline completed an internship at the United Nations International Law Commission, working with Professor James Crawford on the ILC's State responsibility articles. From 1997 to 1999 she practised environmental and planning law at the national law firm of Allens Arthur Robinson.

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Formerly legal adviser for the United Nations Environment Programme and the World Bank, Peter Sand is a Lecturer in International Environmental Law at the University of Munich, Germany. His earlier publications include *Lessons Learned in Global Environmental Governance* (1990), *Transnational Environmental Law* (1999), and over a hundred articles in international legal journals and collections. He has been visiting professor at Duke Law School and at the universities of Paris, Geneva, Addis Ababa, and Helsinki; and he served on the UN Security Council's Compensation Commission for environmental claims arising from the 1991 Gulf War.

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Associate Professor Margaret Young joined the Melbourne Law School as Senior Lecturer in 2009. She holds a PhD and an LLM from the University of Cambridge and a BA/LLB (Hons) from the University of Melbourne and has been a Visiting Scholar at Columbia Law School. Her graduate studies were supported by a number of awards, including the Gates Scholarship and the Commonwealth Scholarship. Professor Young's books include 'Trading Fish, Saving Fish: The Interaction between Regimes in International Law' (2011) and

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