



**UNIVERSITÉ
DE GENÈVE**

FACULTÉ DE DROIT



**UNIVERSITÉ
DE GENÈVE**

**INSTITUT DES SCIENCES
DE L'ENVIRONNEMENT**

Non-State Actors, Energy, and International Law

30 June 2021

14:00-17:30 (CEST)

Online Conference on Zoom

Co-organizers: Dr. Elena Cima (*University of Geneva, Faculty of Law/ISE*)
and **Prof. Makane Moïse Mbengue** (*University of Geneva, Faculty of Law*)

One of the most prominent features of the current international society is the increasingly significant role played by non-State actors. Not only has there been a remarkable increase in the number and diversity of non-State actors, but their activities have become more transboundary in nature and more impactful, to the point of adding a new dimension of complexity to the theory and practice of international law.

The presence and influence of non-State actors is especially felt in the energy sector, where a large number and a wide variety of non-governmental organizations, multinational corporations, individuals, communities, and groups are playing an ever larger role in shaping the development of international law in this area. The strong diversity among the non-State actors active in the energy sector explains the rich variety of issues and questions that their presence poses from an international law perspective.

This conference is intended to tackle these complex issues and questions, by examining the role played by non-State actors in the energy sector—and the way in which international law addresses such role—from three interrelated angles. First, a number of non-State actors, such as individuals and indigenous communities, are seen as the legitimate holders of certain rights,

and the role of international law is to ensure that such rights are in no way threatened or harmed by energy activities. Second, non-State actors involved in the energy sector can themselves contribute to violating said rights or causing environmental damage in the conduct of their activities. In this context the question is raised as to whether and how to hold these actors accountable for the impact of their activities. Finally, non-State actors can be seen as playing an increasingly important role in the creation and development of the international norms and standards applicable to energy in a variety of subfields, whether through their participation in law-making or adjudication.

Registration

The online conference is open to the public at the following Zoom link: <https://unige.zoom.us/j/91957617812> (meeting ID: 919 5761 7812)

Program

14.00-14.15

Welcome and introduction

Prof. Bénédicte Foëx, Dean of the Faculty of Law, University of Geneva

Dr. Elena Cima, Lecturer, University of Geneva, Faculty of Law/ISE & **Prof. Makane Moïse Mbengue**, Professor of International Law, University of Geneva, Faculty of Law

14.15-15.15

Panel I – *Energy Activities and the Rights of Individuals and Groups*

Moderator: **Prof. Laurence Boisson de Chazournes**, Professor of International Law, University of Geneva, Faculty of Law

Panelists:

Prof. Sergio Puig, Professor of Law, Arizona University, James E. Rogers College of Law

The energy sector and the rights of indigenous people

Prof. Hélène Tigroudja, Professor of International Law, Aix-Marseille University

States' human rights obligations and energy activities

Ms. Saadia Bhatti, Counsel at Gide Loyrette Nouel, qualified under the NY and Paris bars

Investors' rights in the context of energy activities

15.15-16.15

Panel II – The Influence of Non-State Actors on the Development of International Energy Law

Moderator: **Prof. Makane Moïse Mbengue**, Professor of International Law, University of Geneva, Faculty of Law

Panelists:

Mr. Dario Piselli, PhD Candidate, IHEID; Policy Consultant

Epistemic communities and science-law interfaces in international law: recent insights on climate and energy

Mr. Yves Lador, Representative of Earth Justice to the UN

The role of non-governmental organizations in the development of international law applicable to energy

Dr. Dafina Atanasova, Lecturer, Master in International Dispute Settlement (MIDS), Geneva

The varying roles and impact of non-state actors in energy-related disputes: the example of social license to operate

16.15-17.15

Panel III – Accountability of Non-State Actors involved in Energy Activities

Moderator: **Prof. Makane Moïse Mbengue**, Professor of International Law, University of Geneva, Faculty of Law

Panelists:

Dr. Elena Cima, Lecturer, University of Geneva, Faculty of Law/ISE

'Both Directions at Once': Legislative and judicial approaches to multinational corporations and the duty to protect the environment

Dr. Stefanie Schacherer, Postdoctoral Fellow, National University of Singapore, Centre for International Law

Energy and international investment Law: The matrix of investor obligations

Dr. Chiara Redaelli, Research Fellow, Geneva Academy of International Human Right and Humanitarian Law

Responsibility of armed non-state actors for cyber-attacks against energy facilities

17.15-17.30

Conclusions