

ICEF
International Court of the Environment Foundation

Honorary President: Prof. Giovanni Conso

Director & Founder: Dr. Amedeo Postiglione

International Conference
Global Environmental Governance

When: 20-21 May 2010

Where: Rome, Italy, Ministry of Foreign Affairs

The event: The *International Court of the Environment Foundation* (ICEF) has for more than twenty years promoted steps for a better international holistic and balanced governance of the environment at both the political-administrative and jurisdictional levels. In response to today's pressing global environmental threats such as global warming and climate change, considerable attention needs to be focused on governance not only by citizens and civil society but also by the scientific world and especially by institutions (Parliaments, Governments and international organisations). By "governance", ICEF means institutions and mechanisms for protecting the environment and resolving disputes. To achieve better global governance, there must be an integrated legal and institutional response as well as a careful design of sustainable environmental policies. There is, undoubtedly, a link between national, European and global governance which requires consistency and effectiveness in terms of: a) legal basis (number of laws and regulations; areas which are covered and possible gaps; language and technical content; b) the role played by the authorities responsible for enacting and enforcing regulations within the administrative, civil and criminal law systems; c) the necessary dialogue and co-operation with the scientific community, experts, business and civil society and, finally, d) an effective system of monitoring and controls. Clearly, this is an ambitious and demanding approach, because global environmental issues are very complex at all levels (local, national, regional and international). Against this backdrop, ICEF hopes that this Conference will contribute to the debate and make tangible progress in addressing the challenges of global environmental governance.

Under the Patronage of
UNESCO

Council of Europe

Italian Presidency of the Council of Ministers

Italian Ministry of Foreign Affairs

Italian Ministry of the Environment, Land Protection and the Sea

Italian Ministry of Cultural Heritage and Activities

Italian National Research Council

Autonomous Administration of the State Monopoly (AAMS)

City of Rome

and

Under the High Patronage of

The President of the Italian Republic

With the scientific cooperation of

UNEP – United Nations Environment Programme

IUCN – World Conservation Union

With the support of

FINMECCANICA

POLIECO

PRELIMINARY PROGRAMME

Thursday, May 20, 2010

INAUGURAL SESSION

9:30 a.m. – 10:15 a.m.

Chair: Giovanni **Conso**, Honorary President, ICEF, Rome; former President, National Academy of Lincei, Rome, Italy; former Italian Minister of Justice

Introduction: *Structure and objectives of the conference*

Amedeo **Postiglione**, ICEF Director and Founder; Honorary Deputy President, Italian Supreme Court, Rome, Italy; Vice-President, EUFJE-EU Forum of Judges for the Environment

Welcome address:

H.E. Minister Franco **Frattini**, Minister of Foreign Affairs, Rome, Italy

Introductory address:

H.E. Minister Stefania **Prestigiacomo**, Minister of the Environment, Land Protection and the Sea, Rome, Italy; Co-chair, IEG-International Environment Governance Group

10:15 a.m. – 10:30 a.m. Coffee-break

10:30 a.m. – 11:30 a.m.

SESSION I: Round Table on the Need for Governance of Global Environmental Challenges

Chair and introduction: Durwood **Zaelke**, Washington College of Law; President and Founder of the Institute for Governance and Sustainable Development; Vice Director, INECE

H.E. Cardinal Renato R. **Martino**, Honorary President, Pontifical Council for Justice and Peace, Vatican City

Alan **Friedman**, economic journalist, New York, USA

Filippo **Giorgi**, Abdus Salam International Centre for Theoretical Physics, Trieste, Italy

David **Stevenson**, Director, Policy and Strategy Division, WFP, Rome, Italy

Debate

11:30 a.m.– 1:00 p.m.

SESSION II: Round Table on Environmental Governance and the Effectiveness of International Environmental Law

Chair and introduction: Nicholas A. **Robinson**, Co-Director, Centre for Environmental Legal Studies, Pace Law School, New York; former Chair, IUCN Commission on Environmental Law (CEL)

The experiences of institutions and organs of control within the international conventions on environment

Lucien **Chabason**, Associate Director, IDDRI-Institute for Sustainable Development and International Relations, Paris, France

Non compliance procedures as a common model

Sergio **Marchisio**, University La Sapienza, Rome; Director, Institute for International Legal Studies, National Research Council, Rome, Italy

The new principle of no regression of Environmental Law

Michel **Prieur**, Scientific Director, CRIDEAU, University of Limoges, France

Environmental justice and ecological refugees

Laura **Westra**, University of Ottawa, President, Global Ecological Integrity Group, Toronto, Canada

The experience of prevention, inspection and reparation in the event of accidents or disasters involving environmental damage of international importance

Branca **Martins da Cruz**, Director, Lusìada Institute for Environmental Law (ILDA), Lusìada University, Lisbon, Portugal

The control of the Planet from Space
Roberto **Somma**, Thales-Alenia Space, Rome, Italy

Debate

1:00 p.m. - 2:00 p.m. Lunch-break

2:00 p.m. – 3:15 p.m.

SESSION III: Round table on *The Role of Local and National Public Authorities for Environmental Governance*

Chair and introduction: Aldo **Cosentino**, Director General for Nature Protection, Italian Ministry of the Environment, Land Protection and the Sea, Rome, Italy

National mechanisms for implementing International Environmental Law
Giovanni **Cordini**, Pavia University, Italy

The role of local communities and Regions for environmental governance
Representative from the Veneto Region, Italy

Country cases: national reports

India

MPB Ram **Mohan**, Regulatory Studies and Governance Division, The Energy and Resources Institute (TERI), New Delhi

Cambodia

Ly **Narun**, MP, Secretary, Commission on Environment and Agriculture, National Assembly, Phnom Penh
Thul **Heang**, Deputy Director, International Relations Department, National Assembly, Phnom Penh

Japan

Yasushi **Tadano**, Lawyer, Committee on Pollution Control and Preservation of Environment, Japan Federation of Bar Associations (JFBA), Tokyo

Cameroon

Nchunu **Justice Sama**, Environmental Lawyer, Foundation for Environment and Development (FEDEV), Bamenda

Afghanistan

Faizullah **Zaki**, Environment Committee, Lower House, National Assembly, Kabul

3:15 p.m. – 3:30 p.m. Coffee-Break

3:30 p.m. – 4:45 p.m.

Session III continued

Chair and introduction: Veronika **Hunt Šafránková**, Deputy Minister of the Environment of the **Czech Republic**, Prague

Country cases: national reports

Bosnia and Herzegovina

Milorad **Živković**, Speaker of the House of Representatives, Parliamentary Assembly, Sarajevo

Federal Republic of Germany

Jochen **Ritter**, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Berlin

Principality of Monaco

Astrid **Claudel-Rusin**, Ministry of the Environment, Monaco

Italy

A representative from the Ministry of the Environment, Land Protection and the Sea, Rome
Roberto **Caracciolo**, Institute for Environmental Protection and Research (ISPRA), Rome

Debate

4:45 p.m. – 6:00 p.m.

SESSION IV: Round Table on *Experiences of Regional Environmental Governance*

Chair and introduction: Wolfgang E. **Burhenne**, Executive Governor, ICEL-International Council of Environmental Law, Bonn, Germany

The system of environmental governance in the European Union

Pia **Bucella**, Director for Legal Affairs and Civil Protection, DG Environment, European Commission, Brussels

The regional dimension of environmental governance: the case of the Mediterranean Sea

Tullio **Scovazzi**, University of Milan, Italy

The regulation of climate change: towards new scenarios

Massimiliano **Montini**, University of Siena, Italy

The interplay between Competition Law and Environmental Law in the European Union legal system

Franco Silvano **Toni di Cigoli**, University of Padua, Italy; British Institute of International and Comparative Law, London, United Kingdom

Experiences of environmental governance in some regional areas:

- *The governance of the Black Sea ecosystem*
Ahmed **Kideys**, Executive Director, Commission on the Protection of the Black Sea Against Pollution, Istanbul, Turkey
- *The governance of the Mediterranean ecosystem*
Maria Luisa **Silva Mejjias**, Deputy Coordinator and Officer in Charge, Mediterranean Action Plan, UNEP/MAP, Athens, Greece
- *The governance of the Antarctic ecosystem and the new challenges of international cooperation in the Arctic*
Gianfranco **Tamburelli**, National Research Council, Rome, Italy

Debate

Friday, May 21, 2010

9:30 a.m. – 10:00 a.m.

SESSION V: Round Table on *Proposals for Reforming the Current System of International Environmental Governance*

Chair and introduction: Laurent **Stéfanini**, Ambassador Delegate for Environment, Ministry of Foreign Affairs, Paris, France

With the participation of:

Francesco **Francioni**, European University Institute, Florence

Federico **Lenzerini**, University of Siena, Italy

Corrado **Clini**, Director General for Research, Environment and Development, Italian Ministry of the Environment, Land Protection and the Sea, Rome, Italy

10:00 a.m. – 10:15 a.m. Coffee-Break

10:15 a.m. – 11:30 a.m.

Session V continued

Chair and introduction: John **Scanlon**, Principal Advisor to the Executive Director, UNEP, Nairobi, Kenya

General Discussion: interventions by national delegates and representatives from international organizations

Agustaviano **Sofjan**, Deputy Permanent Representative of Indonesia to UNEP, Nairobi, Kenya

Maria **Ivanova**, Director, Global Environmental Governance Project, Yale Center for Environmental Law & Policy, USA; Member, UNEP Major Groups Facilitating Committee (MGFC)

Marie-Claire **Cordonier-Segger**, Director, Centre for International Sustainable Development Law (CISDL), Montreal, Quebec

Engelbert **Ruoss**, Director, Venice Office, UNESCO, Venice, Italy

Carlo **Scaramella**, Coordinator, Climate Change and Disaster Risk Reduction Office, WFP, Rome, Italy

Alemneh **Dejene**, Senior Officer, Environment, Climate Change and Bio-energy Division, FAO, Rome, Italy

Debate

11:30 a.m. – 1:00 p.m.

SESSION VI: Round Table on *Environmental Governance and Access to Justice*

Chair and introduction: Hon. Justice Guy **Canivet**, member, Constitutional Council, Paris, France

Round Table: *The role of national judges for the protection of the environment*

Hon. Justice Luc **Lavrysen**, President, EU Forum of Judges for the Environment, Brussels, Belgium

Hon Justice Robert **Carnwath**, Royal Courts of Justice, London, United Kingdom

Hon Justice Merideth **Wright**, Vermont Environmental Court, USA

Hon. Justice Ulf **Bjallas**, Environmental Court of Appeal, Stockholm, Sweden; Vice President, EU Forum of Judges for the Environment

Hon. Justice Françoise **Nesi**, Court of Cassation, Paris; *Ecole Nationale de la Magistrature*, France; Secretary General, EU Forum of Judges for the Environment

Hon Justice Rafael **Fernandez Valverde**, Supreme Court, Madrid, Spain

Hon. Justice Omar **Sherif**, Deputy Chief Justice, Constitutional Court, Cairo, Egypt

Hon. Justice Vladimir **Passos de Freitas**, Catholic University of Paraná, Brazil; Director, Federal Judges School, Paraná, Brazil

Debate

1:00 p.m. – 2:00 p.m. Lunch-break

2:00 p.m. – 3:30 p.m.

Session VI continued

Chair and introduction: *to be defined*

The work of the Permanent Court of Arbitration in the field of environmental dispute avoidance and resolution

Christiaan M.J. **Kröner**, Secretary-General, PCA-Permanent Court of Arbitration, The Hague, the Netherlands

The role of the International Court of Justice in protecting the environment

Mohamed **Bennouna**, Judge, ICJ-International Court of Justice, The Hague, the Netherlands

The International Tribunal for the Law of the Sea and the protection of the environment

Tullio **Treves**, Judge, International Tribunal for the Law of the Sea, Hamburg, Germany

The experience of the Court of Justice of the European Communities in enforcing Environmental Law

Juliane **Kokott**, Advocate General, Court of Justice of the European Communities, Luxembourg

Enforcing the rule of law for a better environment: elements of (civil/State) liability, erga omnes obligations and judicial access

Alfred **Rest**, former Academic Director, Institute of Public International Law and Comparative Public Law, University of Cologne, Germany

Improving access to environmental justice in the ASEAN

Amado Jr. **Tolentino**, Executive Governor, International Council of Environmental Law, Philippines

Access to justice for international environmental damage

Paulo Alfonso **Leme Machado**, University of Piracicaba, São Paulo, Brazil

Debate

3:30 p.m. – 3:45 p.m. Coffee-break

3:45 p.m. – 6:00 p.m.

FINAL SESSION: Round Table: *Advancing Global Environmental Governance: a Civil Society Perspective*

Chair: Amedeo **Postiglione**, ICEF Director and Founder; Honorary Deputy President, Italian Supreme Court, Rome, Italy; Vice-President, EU Forum of Judges for the Environment

Introduction: Klaus **Bosselmann**, Director, New Zealand Centre for Environmental Law, University of Auckland, New Zealand; Chair, Ethics Specialist Group, IUCN Environmental Law Commission

With the participation of:

A representative from the **Global Major Groups and Stakeholders Forum (GMGSF)**

Alessandro **Gianni**, Campaigns Director, Greenpeace Italy, Rome

Stefano **Leoni**, President, WWF, Rome, Italy

The experience of the Community of Sant'Egidio in conflicts prevention and resolution

Mario **Giro**, International Relations, Community of Sant'Egidio, Rome, Italy

Positive environmentalism in international dynamics

Vincenzo **Pepe**, Naples University; President, Fareambiente, Rome, Italy

The case for an International Court for the Environment (ICE)

Stephen **Hockman**, Head of Chambers, Six Pump Court, Temple, London; International Court for the Environment-ICE Coalition, London, United Kingdom

Bio-policy: the International Court of the Environment, a pre-requisite for building a green society

Agni **Vlavianos Arvanitis**, President and Founder, Biopolitics International Organisation, Athens, Greece

Final outline for an International Environmental Court

Eduardo A. **Pigretti**, University of Buenos Aires; ICEF World Network of Experts and Judges

Citizens' initiative introduced by the Lisbon Treaty: civil society as linchpin in the EU Framework?

Isabelle **Larmuseau**, President, Flemish Environmental Law Association, Ghent, Belgium

ICEF and the Women's International Forum for an International Court of the Environment

Deirdre Exell Pirro, International Relations Officer, ICEF, Florence, Italy

Debate and Conference's Final Recommendation

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