

Workshop Environmental Law I

Ius Commune Conference 2014

Thursday, 27 November (14.00 – 18.00)

Building: St Leonard's Hall

Room: St Trinnean's

Participants

Theme: Benefit sharing in environmental law: international and European perspectives

Background: The legal concept of benefit-sharing has been significantly developed in international environmental law, particularly under the Convention on Biological Diversity (CBD), as a legal tool to operationalize equity among and within States. In part based on these developments under the CBD, references to benefit-sharing are mushrooming in other areas of international environmental law, such as climate change, land and agriculture, transboundary rivers and corporate environmental accountability. Such ubiquity is all the more surprising given that the existing models of benefit-sharing are not yet fully or successfully operational.

But why and how has benefit-sharing diffused from one regime to another? Are there lessons to be learnt in developing or operationalizing benefit-sharing in one regime that can be useful for other regimes? And are there examples of benefit-sharing in EU environmental law? Do they precede, or are they informed by, international environmental law?

Building on conceptual foundations laid by the BENELEX project at the University of Edinburgh School of Law (www.benelex.ed.ac.uk), the proposed workshop will aim at sharing research in international and EU Environmental law that speaks to the theme of benefit-sharing, with a view to identifying points of contact and tension in these two bodies of law, and possibly opportunities for future research initiatives.

Organizers: The event is jointly organized by the Ius Commune Research School of the Universities of Amsterdam, Utrecht, Maastricht and Leuven and the BENELEX project (University of Edinburgh School of Law)

The speaking time includes discussion. Presentations should take a maximum of 20 minutes and can already finish after 15 minutes in order to have sufficient discussion time.

Chair: Prof. Marjan Peeters (Maastricht University)

Part I International perspectives

14.00 – 14.10 *Welcome and introductions*

14.10 – 14.45 **Dr. Elisa Morgera** (Senior Lecturer, University of Edinburgh, School of Law)
A conceptualization of benefit-sharing in international environmental law

14.45 – 15.15 **Dr. Annalisa Savaresi** (University of Edinburgh)
A case study in international climate change law

15.15 – 15.45 **Dr. Louisa Parks** (University of Lincoln)
A case study from the field: community protocols in the Greek island of Ikaria

15.45 – 16.15 Coffee Break

Chair **Dr. Elisa Morgera** (University of Edinburgh)

Part II **European perspectives**

16.15 – 16.45 **Dr. Jasper van Kempen** (research fellow of the Utrecht Centre for Water, Oceans and Sustainability Law of Utrecht University, and legal advisor at Dutch Ministry of Infrastructure and the Environment)
River basin management in view of benefit sharing: European experiences

16.45 – 17.15 **Marlon Boeve and Liselotte Smorenburg-Van Middelkoop** (University of Amsterdam)
European implementation of the Nagoya Protocol

17.15 – 17.45 **Prof. Marjan Peeters** (Maastricht University)
EU climate change in view of (cost-)benefit sharing

17.45 – 18.00 Concluding remarks