



Académie de droit de l'environnement de l'UICN
IUCN Academy of Environmental Law



Climate Law in Developing Countries post-2012: North and South Perspectives

September 26-28, 2008, at the Faculty of Law, University of Ottawa

CONFERENCE PROGRAM

Friday, September 26

PRE-CONFERENCE WORKSHOP:

1:00 – 5:00 pm *Teaching Climate Law for Developing Country Universities*
Fauteux Hall – Gowlings Moot Court (147)

Chair: Marjan Peeters (Netherlands)

OPENING:

(Sponsored by Heenan Blaikie)

5:00 pm **Registration opens** Fauteux Hall – Lobby

6:00 – 8:00 pm **Welcome and Introductions** Fauteux Hall – Gowlings Moot Court (147)

Dean Nathalie Des Rosiers
Yves Le Bouthillier

Keynote Speakers:

The Honorable **Charles Gonthier** (Canada)
Introduced by: Yves Le Bouthillier (Canada)

William Rees (Canada)
Introduced by: David Lean (Canada)

8:00 – 9:30 pm **Reception** Tabaret Hall, 550 Cumberland St., Room 012

Saturday, September 27

8.00 am **Registration opens** Fauteux Hall – Lobby

9.00 – 9.45 am **Plenary Address 1: Fulfilling our Commitments to Invest in Global Sustainable Development of Energy** Fauteux Hall – Gowlings Moot Court (147)

Marie-Claire Cordonier Segger (Canada)
Introduced by: Scott C. Findlay (Canada)

9.45 – 10.30 am **Plenary Address 2: Climate Justice and the South**
Fauteux Hall – Gowlings Moot Court (147)

Renato Redentor Constantino (Philippines)
Introduced by: Scott C. Findlay (Canada)

10.30 – 10.45 am **Health break**

Concurrent sessions:

10.45 am – 12.15 pm **Climate Justice 1: Climate Ethics and International Equity**
Fauteux Hall – Henderson Amphitheatre (147B)

Chair: Stepan Wood (Canada)

Christina MacLeod (Canada): *Climate Change Code of Ethics: Acceptance of Responsibility and United Action*

Werner Scholtz (South Africa): *Greenhouse Equity as the Basis for Future Global Emission Reductions: Pragmatic Panacea or Idealistic Impediment?*

Christina Voigt (Norway): *The Deadlock of the Clean Development Mechanism: Caught between Sustainability, Environmental Integrity and Economic Efficiency*

Ana Maria de Oliveira Nusdeo (Brazil): *Clean Development Mechanism and Distributional Issues: An Analysis of the Brazilian Certified Projects*

Energy and Climate Change 1: Policy Frameworks Fauteux Hall – Room 137

Chair: Ellen Zweibel (Canada)

Richard Ottinger (USA): *Climate Policy Energy Solutions for Developing Countries - Be Careful What You Wish For*

Francis Botchway (UK / Ghana): *New Energy Dynamics and Africa's Climate*

Robert Lyng (Canada): *e8 Electric Utility Perspectives on Implementing Renewable Electrification Projects in Developing Countries*

Tianbao Qin (China – speaker) and Huanhuan Wang (China): *Preparing for the Post-Kyoto Era: “Greening” of Energy Law in China*

The Approach of Francophone Developing Countries to Climate Change

Fauteux Hall – Gowlings Moot Court (147)

Organized jointly with l’Institut de l’Énergie et de l’Environnement de la Francophonie (IEPF)

Chair: Fatima Dia Touré (IEPF)

Allasane Ba (Mali): *Legislations and Climate Change in Mali*

Serge Hervé Ondoua (Cameroun): *The Reduction of Emissions Resulting from Deforestation and Degradation (REDD): Proposal from the Countries in the Congo Delta*

Frédéric Gagnon (Canada): *Preparatory work of the Least Developed Countries in Africa for the Climate Change Negotiations Post 2012: The Initiative of the Institut de l’Énergie et de l’Environnement de la Francophonie and of the International Institute for Sustainable Development*

12.15 – 1.15 pm

Lunch Fauteux Hall – Atrium Tsampalieros – 3rd floor

1.15 – 2.30 pm

Plenary Address 3: Climate Change and Energy Markets

Fauteux Hall – Gowlings Moot Court (147)

Yinka Omorogbe (Nigeria)

Introduced by: Ben Boer (Australia)

Plenary Address 4: Climate Change Law and Policy in India

Fauteux Hall – Gowlings Moot Court (147)

MC Mehta (India)

Introduced by: Ben Boer (Australia)

2.30 – 2.45 pm

Health break

Concurrent sessions:

2.45 – 4.15 pm

The Clean Development Mechanism: Past, Present and Future

Fauteux Hall – Gowlings Moot Court (147)

Chair: Stewart Elgie (Canada)

José Juan González Márquez (Mexico), *The Role of Clean Development Mechanism in Promoting Alternative Sources of Energy in Mexico*

Damilola Olawuyi (Canada / Nigeria): *Beautifying Africa for the Clean Development Mechanism: Legal and Institutional Issues Considered*

Emmanuel Kasimbazi (Uganda): *Policy and Legal Interventions in the Implementation of CDM Projects in the Forestry Sector: Implications for Climate Change Mitigation and Adaptation in Uganda*

Tomilola Akanle (Nigeria), *Promoting the Use of Renewable Energy and Energy Efficiency through Legislation and Policy*

Climate Justice 2: Climate Refugees / Climate Litigation Fauteux Hall – Room 137

Chair: Benjamin J. Richardson (Canada)

Angela Williams (UK / NZ): *Achieving Justice within the International Legal System: Prospects for Climate Refugees*

Laura Westra (Canada): *Climate and Ecological Refugees: Beyond the 1951 Convention on the Status of Refugees*

Hugh Wilkins (Canada): *Climate Litigation in Canada*

Energy and Climate Change 2: Renewable or Nuclear?

Fauteux Hall – Henderson Amphitheatre (147B)

Chair: Carolyn Farquhar (Canada)

Eliamani Laltaika (Tanzania), *Jatropha in Maasailand: Why, How and for Whose Benefit?*

Solange Teles da Silva (Brazil) and Carolina Dutra (Brazil - speaker): *Brazilian Policy of Biodiesel: Alternative to Mitigate Effects of Climate Change?*

Yanti Fristikawati (Indonesia): *Nuclear Power and Climate Policy in Indonesia*

Muhammed Tawfiq Ladan (Nigeria): *Policy, Legislative and Regulatory Challenges in Promoting Efficient and Renewable Energy for Sustainable Development and Climate Change Mitigation in Nigeria*

4.15 – 4.45 pm

Health break

4.45 – 6.15 pm

Plenary Address 5: Indigenous Peoples and Climate Change in the South Pacific

Fauteux Hall – Gowlings Moot Court (147)

Eric Kwa (Papua New Guinea)

Introduced by: Robert Fowler (Australia)

Roundtable Discussion on Indigenous Peoples and Climate Change

Fauteux Hall – Gowlings Moot Court (147)

Chair: Brad Morse (Canada)

Participants:

- Eric Kwa (Papua New Guinea)
- John Scott (Canada)
- Sophie Thériault (Canada).

CONFERENCE DINNER:

7.00 – 10.00 pm

Museum of Nature 240 McLeod St.

Guest Speaker: **Mary Simon** (President of Inuit Tapiriit Kanatami)

Introduced by: Brad Morse

Sunday, September 28

9.00 – 9.45 am **Plenary Address 6: A Mechanism to Reduce Emissions from Deforestation: Key Policy Considerations** Fauteux Hall – Gowlings Moot Court (147)

Claire Stockwell (Canada)

Introduced by: Benjamin J. Richardson (Canada)

9.45 – 10.30 am **Plenary Address 7: The Role of Marine “Forests” and Soils as Carbon Sinks: Enhanced Bio-Sequestration as a Mitigation Strategy** Fauteux Hall – Gowlings Moot Court (147)

Robert Fowler (Australia)

Introduced by: Benjamin J. Richardson

10.30 – 10.45 am **Health break**

Concurrent sessions:

10.45 am – 12.15 pm **Climate Justice 3: Rights, Responsibilities and Internal Inequities**

Fauteux Hall – Henderson Amphitheatre (147B)

Chair: Robert Kibugi (Canada / Kenya)

Oluwatoyin Adejonwo-Osho (UK / Nigeria): *The Evolution of Human Rights Approaches to Environmental Protection in Nigeria*

William Onzivu (UK / Uganda): *Tackling the Public Health Impact of Climate Change: The Role of Domestic Environmental Health Governance in Developing Countries*

Sumudu Atapattu (Sri Lanka / USA): *Climate Change, Equity and Differentiated Responsibilities: Does the Present Climate Regime Favour the Developing Countries?*

Deepa Badrinarayana (India): *Is India’s Climate Justice Stance Justified, or, Indeed, Justifiable?*

Instrument Choice 1: Financial and Economic Policy Instruments for Climate Policy Fauteux Hall – Room 137

Chair: Jolene Lin (China)

Kate Miles (Australia): *Investing in Adaptation: Financing Climate Change Adaptation Measures in Developing States*

Benjamin J. Richardson (Canada): *Socially Responsible Investment and Climate Finance*

Marty Venalainen (Canada): *Extraterritorial Liability for Transboundary Harm: A Race to the Top?*

Protection of Biological and Social Systems 1: Oceans, Forests, and Biodiversity

Fauteux Hall – Gowlings Moot Court (147)

Chair: Stepan Wood (Canada)

Robin Warner (Australia): *Preserving a Balanced Ocean: Environmental Regulation of Climate Change Mitigation Activities in Offshore Marine Areas of Developing Countries*

Rosemary Lyster (Australia): *Approaches to Recognising Carbon Offsets Arising from Avoided Deforestation in Developing Countries*

Claudio Torres Nachón (Mexico / Canada): *Comparing Legal Notions of Deforestation and Forest Degradation: A Brief Review of International Agreements and National Forest Legislations*

12.15 – 1.15 pm

Lunch

1.15 – 2.00 pm

Plenary Address 8: The North-South Dimension of Climate Policy in the European Union and Norway Fauteux Hall – Gowlings Moot Court (147)

Hans Christian Bugge (Norway)

Introduced by: Heather McLeod-Kilmurray (Canada)

2.00 – 2.15 pm

Health break

Concurrent sessions:

2.15 – 3.45 pm

Instrument Choice 2: North-South Interactions Fauteux Hall – Room 137

Chair: Emmanuel Kasimbazi (Uganda)

Marjan Peeters (Netherlands): *Improving Citizen Responsibility in the North and its Consequences for the South*

Francesco Sindico (UK): *Climate and Trade in a Divided World: Can Measures Adopted in the North End Up Shaping Climate Legislative Frameworks in the South?*

Peter Lawrence (Australia): *Kick Starting the Climate Change Technology Revolution: The Potential - and Limitations - of Asia-Pacific Partnerships for Technology Development and Transfer*

Protection of Biological and Social Systems 2: The Challenge of Adaptation

Fauteux Hall – Henderson Amphitheater (147B)

Chair: Ben Boer (Australia)

Sara Erens (Netherlands), Kees Bastmeijer (Netherlands) (speakers), and Jonathan Verschuuren (Netherlands): *Adaptation to Climate Change to Save Biodiversity: Lessons Learnt from African and European Experiences*

Stefan Gruber (Germany / Australia): *How Can Environmental Law Be Used to Decrease the Effects of Global Climate Change on Cultural Heritage Sites?*

Jolene Lin (China): *Supporting Adaptation in Developing Countries at the National and Global Levels*

Carl Bruch (USA) and Jessica Troell (USA): *Adaptive Water Management: Strengthening Laws and Institutions to Cope with Climate Change*

The EU Climate Policy toward Developing Countries

Fauteux Hall – Gowlings Moot Court (147)

Chair: Sophie Thériault (Canada)

Sandrine Maljean-Dubois and Marie-Pierre Lanfranchi (France): *Climate change in the EU policy of cooperation in development*

Malachy Hargadon (EU): *The EU approach*

Lavanya Rajamani (India): discussant

Markus Gehring (Canada): discussant

Post-2012 Challenges and Strategies Fauteux Hall – Professor Vern Krishna Room (133)

Chair: Heather McLeod-Kilmurray (Canada)

Albert Mumma (Kenya) and David Hodas (USA - speaker): *Designing a Global Post-Kyoto Climate Change Protocol that Advances Human Development*

Horacio Payá (Argentina): *International Climate Policy and Developing Countries' National Development Challenges: A Necessary Link for a Successful International Agreement*

Harro van Asselt and Joyeeta Gupta (Netherlands): *Stretching too Far? Developing Countries and the Role of Flexibility Mechanisms Beyond Kyoto*

Neil Craik (Canada) and Joseph F.C. DiMento (USA): *Multi-level and Multi-track Climate Law and Policy in North America: Implications for Developing Countries*

3.45 – 4.00 pm

Health break

4.00 – 4.45 pm

Plenary Address 9: From Berlin to Bali and Beyond: The Role of Developing Countries in the Structuring of the Climate Regime

Fauteux Hall – Gowlings Moot Court (147)

Lavanya Rajamani (India)

Introduced by: Stepan Wood (Canada)

4.45 - 5.30 pm

Report and closing remarks Fauteux Hall – Gowlings Moot Court (147)

Rapporteur: Robert Kibugi

Closing remarks: Ben Richardson
Yves Le Bouthillier