



Universität Hamburg
DER FORSCHUNG | DER LEHRE | DER BILDUNG
FAKULTÄT
FÜR RECHTSWISSENSCHAFT



LUND UNIVERSITY
Faculty of Law

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Call for Engaged Listeners

Deadline: 30 January 2019

“Protection of the Environment in Relation to Armed Conflict – Beyond the ILC”

International Workshop organized by
the Institute for International Affairs of the University of Hamburg School of Law
and Lund University Faculty of Law

in cooperation with
the Environmental Peacebuilding Association’s Law Interest Group

Hamburg, 7 - 8 March 2019

On 7 and 8 March 2019, an international workshop will be held at the Faculty of Law of the University of Hamburg, Germany. Invited scholars and practitioners will present and discuss their papers in different panels (see draft program attached).

The purpose of this workshop is to review the work of the ILC on this topic in order to assess and address issues that have not been dealt with yet. In 2011, the International Law Commission decided to include the topic of Protection of the Environment in Relation to Armed Conflicts on its future program of work. The International Law Commission has so far adopted 18 draft principles which address questions of environmental protection in the three phases of armed conflict: before, during and after. The Commission intends to bring the work on the topic to conclusion in a first reading in 2019.

The workshop attempts to integrate the legal protection during the pre-, during and post conflict phases by the laws of armed conflict, human rights law and international environmental

law. Each session addresses one of the phases, attempting to connect the legal fields. A final session zooms out of the three phases and looks at different actors and affected groups and how they are impacted by the topic.

The workshop will be open to a limited number of engaged listeners - apart from the speakers. If you are interested in participating in the audience (not as a speaker) and thus contribute to our discussion, please send an application with a short motivation letter explaining your interest in the conference (maximum 400 words) along with a short bio (150 words) to Anne Dienelt (anne.dienelt@uni-hamburg.de). The deadline for applications is 30 January 2019. Successful applicants will be notified in the beginning of February 2019. Participation is free of charge, but at your own expense. Please note that travel and accommodation costs cannot be covered.

The workshop will last from Thursday noon, 7 March, to Friday noon, 8 March 2019.

Venue: Warburg Haus, Heilwigstraße 116, Hamburg, Germany.



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Draft Program

Protection of the Environment in Relation to Armed Conflict – Beyond the ILC

The International Law Commission (ILC) included the topic “Protection of the Environment in Relation to Armed Conflict” in 2011 on its future program of work. It is now in the stage of finalizing the project by drafting principles that address the phases of pre-conflict, during, and post-conflict in light of different fields of international law.

This workshop attempts to consolidate the legal protection during these phases by the laws of armed conflict, human rights law and international environmental law. Each session addresses one of the phases with regard to armed conflict and its protection. A final session zooms out of the three phases and looks at different actors and affected groups and how they are impacted by the topic.

This workshop unites practitioners, scholars and other people in this field with various backgrounds.

In cooperation with



Environmental Peacebuilding Association

Thursday, 7 March 2019

12.30 am Registration and Coffee

1.00 pm **Welcoming Remarks**

Florian Jeßberger, Vice Dean for Research & International Affairs

1.15 pm **Setting the Scene**

Britta Sjöstedt, Lund University, and *Anne Dienelt*, University of Hamburg

1.30 pm Opening session: **The ILC and its Work**

1. What has been done so far by the ILC (2011-2016)?

Marie Jacobsson, Swedish Ministry for Foreign Affairs and former ILC member and special rapporteur

2. What's next (2016 onwards)?

Marja Lehto, Finnish Ministry for Foreign Affairs and current ILC member and special rapporteur

3. Implications of and for Other Topics of the ILC

Michael Wood, 20 Essex Street, ILC member and special rapporteur

2.30m Session 1 **Protection of the Environment *before* an Armed Conflict**

1. Principle of Prevention in International Environmental Law and Principle of Precaution in the Laws of Armed Conflict

Michael Bothe, University of Frankfurt/Main

2. Climate Change as a Conflict Driver and the Function of Law to Prevent Conflicts. What can be done in the pre-phase?

Kirsten Davies, Macquarie University, Australia

3. Climate Change Adaptation and Sustainable Peace - Addressing Climate-Fragility Risks

Amanda Kron, UN Environment

Chair: *Alexander Proelß*, University of Hamburg

4.00 pm Coffee and Cake

4.30 pm Session 2 **Protection of the Environment *during* an Armed Conflict**

1. The Updated ICRC Guidelines for the Protection of the Natural Environment in Situations of Armed Conflict

Helen Obregon Gieseken, ICRC

2. Martens' Clause and Environmental Considerations in Relation to Armed Conflict

Dieter Fleck, formerly Bundesverteidigungsministerium

3. Human Right to Water - Legal Framework and Water Issues in Armed Conflicts

Mara Tignino, University of Geneva

4. Environmental Governance and Armed Conflict

Carl Bruch, Environmental Law Institute and Environmental Peacebuilding Association

Chair: *Stefan Oeter, University of Hamburg*

6.30 pm **Round-up first day**

Anne Dienelt, University of Hamburg, and Britta Sjöstedt, Lund University

6.45 pm Drinks and Networking

Get to know the Law Interest Group, Environmental Peacebuilding Association

Friday 8 March 2019

9.00 am Session 3 **Protection of the Environment *After* an Armed Conflict**

1. Transforming Natural Resources into an Asset for Peace?

Daniella Dam-De Jong, University of Leiden

2. The UNCC, Liability and/or Responsibility for Environmental Destruction?

Cymie Paine, Rutgers University, USA

3. Can Individual Criminal Responsibility for Environmental Crimes Prevent Attacks on the Environment?

Charles Jalloh, ILC member and Florida International University, USA

4. The Reintegration of Ex-Combatants: Recovery through Natural Resources as a form of Reparation?

Glauca Boyer, United Nations Development Programme

Chair: *Florian Jeßberger*, University of Hamburg

11.00 am Coffee Break

11.30 am Session 4 **Affected Groups and Actors**

1. Non-State Actors and Exploitation of Natural Resources in Armed Conflict

Phoebe Okowa, Queen Mary University of London

2. Indigenous Peoples and the Right to Their Environment

Elisa Morgera, University of Strathclyde, Glasgow

3. Gender Equity and the Environment – How Can the Law Assist?

Silja Halle, Joint Program Coordinator (UNDP, UN Environment, UN Women and PBSO) on Women, Natural Resources and Peace

Chair: *N.N.*

13.00 pm **Closing remarks**

Anne Dienelt, University of Hamburg, and *Britta Sjöstedt*, Lund University