

RIO+20: WHAT AMBITION FOR THE ENVIRONMENT?

Third worldwide conference of environmental law NGO and lawyers

Limoges (FRANCE), September 29-30th,
October 1st of 2011

Faculté de Droit et des Sciences Économiques de Limoges
5 rue Félix Éboué – 87000 Limoges
Amphithéâtre 400 C

Our objective is to elaborate legal recommendations carrying environmental protection and to make them take into account by the Conference of Rio + 20 in June 2012.

Law is an essential instrument to treat the two topics of Rio: “green economy” and “the institutional framework of sustainable development”.

We want to contribute to make progress the environmental law, to reinforce its application and to conclude new conventions.

The collective emulation of this 3rd worldwide meeting must precede that of next Conference of Rio: an ambition with the service of living and humanity.

Under the patronage of :

- UNESCO

- European association of environmental law (EAEL),
- Commission on environmental law, International Union for Conservation of Nature (IUCN),
- European Council on Environmental Law (CEDE),
- French Society for Environmental Law (SFDE), (France),

With the support of :

- French Ministry for Ecology, Sustainable development, Transport and Housing, (France),
- General Delegation for the French Language and the Languages of France,
 - Pace University (New York),
 - Foundation Getulio-Vargas (Brazil),
 - Brazil-American Institute for Law and Environment
- Energy and Environment Institute of the Francophonie (Canada),
- French embassy in Brazil, in Ukraine and in the United-States
 - Regional county of Limousin, (France),
- The George Washington University Law School, (United-States),

Simultaneous translation: French and English ONLY THE 29-30th September 2011



Thursday 29th September (A.M)

09:00

Welcome

Pr. Jacques FONTANILLE, Chair of the University of Limoges, (France),
Pr. Gérard MONÉDIAIRE, Professor, Director of the CRIDEAU-OMIJ, University of Limoges, (France),
Pr. Michel PRIEUR, Honorary Dean, Emeritus Professor at the University of Limoges, Chair of the International Centre of Comparative Environmental Law (C.I.D.C.E.), (France),

Prologue: **Mr. Jean-Pierre THÉBAULT**, Ambassador of France, delegated to the environment,

I. Human rights and the environment: the legal challenges

Chair : **Pr. Jean-Pierre MARGUÉNAUD**, Professor at the Faculty of Law of Limoges, Observatory of Institutional and Legal Change – OMIJ, University of Limoges, (France),

09:45

1- The non regression principle in environmental law

Rapporteur: - **Pr. Michel PRIEUR**, Honorary Dean, Emeritus Professor at the University of Limoges, Chair of the International Centre of Comparative Environmental Law (C.I.D.C.E.), (France),

Others speakers:

Pr. Gonzalo SOZZO, Professor at the University of Santa Fe, (Argentina),

Mr. Geoffrey GARVER, Adjunct professor, Laval University Law Faculty, Quebec City, Member, Joint Public Advisory Committee, Commission for Environmental Cooperation, (Canada),

Pr. Marie-Anne COHENDET, Professor of public law at the University of Paris I Panthéon-Sorbonne, (France),

10:15

2- Environmental justice

Rapporteur: **Dr. Agnès MICHELOT**, Lecturer in public law at the University of "La Rochelle", (France),

Others speakers:

Pr. Gérard MONÉDIAIRE, Professor, Director of the CRIDEAU-OMIJ, University of Limoges, (France),

Pr. Ibrahim KABOGLU, Professor at the University of Marmara, Istanbul, (Turkey), Vice-chair of the CIDCE,

Mr. Lee PADDOCK, Associate Dean for Environmental Law Studies, The George Washington University Law School, (United-States),

10:40 – PAUSE

11:00

3- Environmental disasters and human rights

Rapporteur: **Dr. Fernanda DE SALLES CAVEDON**, Lawyer in the NGO «Voluntarios pela Verdade Ambiental », Santa Catarina, (Brazil), Research assistant at the CIDCE,

Others speakers: **Pr. Anne PETITPIERRE**, honorary Professor at the University of Geneva, barrister in Geneva, (Switzerland),

Pr. Sandra AKEMI SHIMADA KISHI, Professor, Regional Federal Prosecutor for the Republic in São Paulo/Brazil and MA in environmental law,

11:20

4 - The fundamental right to land and food

Rapporteur : **Pr. Christophe GOLAY**, Professor at the graduate institute of international and development studies, researcher at the ADH, (Geneva - Switzerland),

Others speakers :

Mrs. Armelle GUIGNIER, researcher in the field of environmental law, UNESCO Centre for water Law, Policy and Sciences, Dundee, (Scotland),

Dr. Patrice TALLA, FAO, Doctor of the University of Limoges,

11:40

5 – The environmental law effectiveness

Rapporteur: **Mr. Julien BÉTAILLE**, PhD, University of Limoges, CRIDEAU-OMIJ, (France),

Others speakers :

Pr. Ibrahima LY, Professor, Director of the Laboratory of environmental law and health at the University of Dakar, (Senegal),

Pr. José Antônio TIETZMANN E SILVA, Lawyer at Goiânia, Professor at the University of Goiás, (Brazil),

Pr. Andrew Waite, Partner, Planning and Environment, Berwin Leighton Paisner LLP. Vice President of the European Environmental Law Association,

12:15

DISCUSSION, QUESTIONS AND ANSWERS

13:15 - LUNCH BUFFET

Thursday 29th September (P.M)

Plenary room : Amphi 400 C

II. The new world conventions on the environment

Chair : Mrs Sheila ABED, Chair of the IUCN Commission on Environmental Law, (Paraguay),

14:30

2 – The draft international Covenant on Environment and Development (IUCN)

Rapporteur : Pr. Stéphane DOUMBE-BILLE, Professor of public law, Director of the International Law Centre, University of Lyon III, (France),

Others speakers :

Pr. Elizabeth BURLESON, Professor, Pace University, (United-States),

14:50

3 – The draft world convention on environmental impact assessment

Rapporteur : Pr. José JUSTE RUIZ, Professor of law at the University of Valence, (Spain),

Others speakers :

Mr. Andriy ANDRUSEVYCH, Ivan Franko National University of L'viv, (Ukraine),

Mrs. Valeria BERROS, PhD, University of Santa Fe (Argentina),

Mrs. Nadia CHRISTINET, delegated to the environment, (State of Vaud - Switzerland),

16:30 - DISCUSSION, QUESTIONS AND ANSWERS

17:00 - BREAK

17:15

5 – The draft convention on soil (IUCN)

Rapporteur: Mr. Hannam IAN, lecturer, « Australian Centre for Agriculture and Law », « University of New England », (Australia) ; Chair of CEL's Specialist Group on Sustainable Use of Soils and Desertification (IUCN),

Others speakers :

Pr. Pascale STEICHEN, Professor at the Nice-Sophia Antipolis University, CREDECO, (France),

Pr. Ben BOER, Emeritus Professor in Environmental Law, Australian Centre for Climate and Environmental Law, Sydney Law School, (Australia),

DISCUSSION, QUESTIONS AND ANSWERS

17:45

6 - For a convention on land-based pollution of the seas and oceans

Rapporteur : Pr. Jean-Pierre BEURIER, emeritus Professor, Centre of Maritime and Oceanic law (CDMO), University of Nantes, (France),

Other speaker : Pr. Hamoud TANNAR, Professor of public and environmental law, Faculty of law of Alep, (Syria),

DISCUSSION, QUESTIONS AND ANSWERS

18:30

7- For a convention on environmental protection in case of armed conflicts

Rapporteur : Pr. Michaël BOTHE, emeritus Professor of international public law at the Faculty of law of the Johann Wolfgang Goethe-University, Frankfurt am Main, (Germany),

Other speaker : Ms. Onita DAS, Research Officer for the global network for the study of human rights and the environment, University of the West of England, Bristol,

Dr. Jean-Marc LAVIEILLE, lecturer at the Faculty of law of Limoges, CRIDEAU-OMIJ, University of Limoges, (France),

DISCUSSION, QUESTIONS AND ANSWERS

Thursday 29th September (P.M)

Parallel session (without translation) : Room 307 A

CHAIR : M. Simon JOLIVET, PhD, CRIDEAU-OMIJ, (France),

14:30

1 - The draft convention on the international status of environmentally-displaced people

Rapporteur: **Dr. Christel CURNIL**, Lecturer of public law at the Paris XIII University, (France),

Others speakers:

Mrs. Yvonne Claire NGO YOGO, coordinator within the Organization African for Peace and the Humanitarian action, expert independent within the Association for the Research and Social development, Consulting independent with the Cabinet of expert testimonies ECIA, (Cameroon),

Mr. Gérard AIVO, PhD, International Law Centre, University of Lyon III, (France),

Mr. David HODGKINSON, Associate Professor in the Law School at the University of Western Australia, (Australia),

Mrs. Lucy YOUNG, (Australia),

Mrs. Bettina LAVILLE, Founder of Committee 21 and Chair of the committee of futurology of Committee 21, Sollicitor, Landwell & Associés, (France),

DISCUSSION, QUESTIONS AND ANSWERS

16:15

2 – The draft world convention on landscape

Rapporteur : **Pr. Kwangyoun LEE**, Professor at the University of Sungkyunkwan, Seoul, (South Korea),

Others speakers :

Dr. Jessica MAKOWIAK, Lecturer of public law at the Faculty of law of Limoges, CRIDEAU-OMIJ, University of Limoges, (France),

Mr. Oriol PORCEL MONTANÉ, Director European Network of Local and Regional Authorities for the implementation of the European Landscape Convention (RECEP-ENELC), (Italy),

Pr. Domenico AMIRANTE, Professor at the University of Naples, (Italia),

DISCUSSION, QUESTIONS AND ANSWERS

17:00 - 17:15 – BREAK

17h15

3 – The draft convention on mercury

Rapporteur : **M. Laurent VASSALLO**, Doctor of Laws, Lecturer at the IUT of Béziers, Consultant on sustainable development, (France),

Others speakers :

17:45

4 – Sustainable tourism

Rapporteur: **Pr. Frédéric BOUIN**, lecturer HDR at the University of Perpignan Via Domitia, general secretary at the International Centre of Comparative Environmental Law (C.I.D.C.E.), Director of the IUP « Urban planning and real estate », CERTAP-CDED, (France),

Other speaker :

M. Jean-Paul CERON, assistant director of the CRIDEAU-OMIJ, University of Limoges, (France),

Mr. Mathurin ESSAMA, researcher in the field of environmental law, (Cameroun),

Pr. J-M. BRETON, Professor of public law, University of the Antilles and Guyana (Guadeloupe).

DISCUSSION, QUESTIONS AND ANSWERS

Friday 30th September (A.M)

III. The institutional framework for sustainable development and international environmental governance

Chair : **Pr. Monique CHEMILLIER-GENDREAU**, emeritus Professor in international law at Paris-VII University, (France),

09:00

1- The World Environmental Organization

Rapporteur : **Dr. Jean-Marc LAVIEILLE**, lecturer at the Faculty of law of Limoges, CRIDEAU-OMIJ, University of Limoges, (France) ,

Others speakers :

Pr. Maurice KAMTO, Professor of law at Yaoundé II University, member of the International Law Commission at the United Nations, Minister of Justice, (Cameroun),

Mr. Baba HAMADY DEME, International Centre of Law, Lyon 3 University, (France),

Mrs. Sandra CUREAU, State Prosecutor of the Republic of Brazil, Cultural Director "Institut "O Direito por um Planeta Verde", PhD University of Buenos Aires, Argentina,

09:30

2- The transformation of the UN Economical and Social Council in Economical, Social and Environmental Council

Rapporteur: **Pr. Carl BRUCH**, lawyer, Senior Attorney and Co-Director of International Programs at the Environmental Law Institute « Environmental Law Institute » (ELI), (Washington - United-States),

Other speaker : **Mrs. Alexandra CUENIN**, Phd, International Law Centre, University, (France),

09:50

3- The place of the civil society and NGO in international law of the environment

Rapporteur : **Mr. Jeremy WATES**, Secretary-General of the European Environmental Bureau (EEB), Brussels, (Belgium), former secretary to the Aarhus Convention, United Nations Economic Commission for Europe,

Others speakers :

Mrs. Tran Thi HUONG TRANG, Director of the Law and Policy of Sustainable Development Research Center, Hanoi, (Vietnam),

Pr. Dimas Pereira DUARTE JÚNIOR, Professor of international law at the University of Goiás (Brazil),

Mrs. Gita PARIHAR, Sollicitor, Friends of the Earth England, Wales and Northern Irland,

10:15

4- The World Environmental Court

Rapporteur : **Pr. Tullio TREVES**, Judge of the International Tribunal for the Law of the Sea, professor at the University of Milano, (Italy),

Others speakers :

Mr. Amado TOLENTINO, former ambassador of Philippines, Executive Governor (for developing countries) of the International Council of Environmental Law,

Dr. Emile Derlin KEMFOUET KENGY, Doctor, University of Limoges, (France),

10:45 – BREAK

11:15 - DISCUSSION, QUESTIONS AND ANSWERS

13:00 LUNCH BUFFET

Friday 30th September (P.M)

IV. The green economy in the context of sustainable development and poverty eradication: issues for greening the planet

Chair : **Pr. Jean-Jacques GOUGUET**, Professor, University of Limoges, (France),

14:30
1 – The forests

Rapporteur : **Pr. Ali MEKOUAR**, Professor at the University of Casablanca, (Morocco), FAO Legal Officer,

Others speakers :

Pr. Paulo Affonso LEME MACHADO, Professor at the University of Piracicaba, SP, (Brazil), vice chair of the CIDCE,

Mr. Samuel NGUIFFO, general secretary for the Centre for Development and Environment (CDE), (Cameroun),

Pr. Eckard REHBINDER, emeritus Professor, Faculty of law, Goethe-University Frankfurt, (Germany),

Mrs Merideth WRIGHT, Judge, Vermont Environmental Court, (United-States),

15h30
2 – The sea and the coast

2.1 – The protected marine zones on the high seas;

Rapporteur : **Pr. Tullio SCOVAZZI**, Professor of law, Milan University, (Italy),

Other speaker : **Pr. Wahid FERCHICHI**, Professor at the Faculty of Law, Political and Social Sciences of Tunis, (Tunisia),

2.2 – Integrated management of coastal zones;

Rapporteur : **Pr. Bernard DROBENKO**, Professor, University of the Littoral Opal Coast, Boulogne-sur-Mer, (France),

Others speakers : **Pr. Soukaina BOURAOUI**, emeritus Professor at the Faculty of law, Tunis II, (Tunisia),

2.3- Offshore oil exploitation

Rapporteur : **Pr. Lucien CHABASON**, Senior advisor, IDDRI, Former director, UNEP Mediterranean Action Plan, (France),

Other speaker : **Pr. Jean-Pierre BEURIER**, Professor of law, University of Nantes, (France),

16:30 - DISCUSSION, QUESTIONS AND ANSWERS

17:00 – BREAK

17:30
4 – Corporate social responsibility

Rapporteur: **Pr. Guy TRÉBULLE**, Professor of private law, Paris-Descartes University, (France),

Others speakers :

Dr. Séverine NADAUD, lecturer of private law, University of Limoges, (France),

Mrs Carina COSTA DE OLIVEIRA, PhD, Foundation G. Vargas, (Brazil),

DISCUSSION, QUESTIONS AND ANSWERS

18:30 – CLOSING
Amphi 400 C

By **Antonio Herman V. BENJAMIN**, Minister, Higher Court of Justice of Brazil, Law Professor, environmental law, University of Texas,(the United States),

Friday 30th September (P.M)

Parallel session (without translation) : Room 307 A

CHAIR : Mr. Christophe KROLIK, PhD, CRIDEAU-OMIJ, Alexandre Kiss Award, IUCN, (France),

14:30

1 – The alternative and sustainable energies

Rapporteur : **Mr. Christophe KROLIK**, PhD, CRIDEAU-OMIJ, Alexandre Kiss Award, IUCN, (France),

Other speaker : **Dr. Grace LADEIRA GARBACCIO**, doctor, University of Limoges, Environmental and Communication advisor at Vallourec-Sumitamo, (Brésil),

DISCUSSION, QUESTIONS AND ANSWERS

15:30

3 – Biodiversity, agricultural land tenure problem and compensatory mechanisms

Rapporteur: **Pr. Francis HAUMONT**, Professor at the catholic University of Louvain, lawyer, (Belgium),

Others speakers :

M. Mamoudou BIRBA, Responsible for the operations at the association "Action for Good citizenship and the Democracy" (ACD), (Burkina Faso),

Pr. Luciane DE ARAUJO MARTINS MASCARENHAS, Lawyer in Goiânia, (Brazil), Professor at the University of Goiás (Brazil),

M. Michel DUROUSSEAU, Vice-chair of the SFDE, Member of the Environmental Law Centre of Strasbourg (UDS), Director of the « Conservatoire des Sites Alsaciens »,

DISCUSSION, QUESTIONS AND ANSWERS

17:00 - BREAK

17:30

3 – Nanotechnologies;

Rapporteur : **Pr. Philippe BILLET**, Professor of public law, University of Lyon III, President of the French Society for Environmental Law, (France),

Other speaker : **Dr. Ana Rachel TEIXEIRA CAVALCANTE**, doctor, University of Limoges, Part-time lecturer in Sciences Po - College of Poitiers, Enquiring Post-PhD within the NanoNorma project, Lawyer in Brazil, (France),

DISCUSSION, QUESTIONS AND ANSWERS

18:30 - CLOSING

By **Antonio Herman V. BENJAMIN**, Minister, Higher Court of Justice of Brazil, Law Professor, environmental law, University of Texas,(the United States),

Saturday, October 1st, 2011

- **Morning:** Discussions on the draft recommendations.

09:00 - 13h00
1st commission (Open to the public)
Room 307 A

- Human rights and environment
- New world conventions on the environment

09:00 - 13h00
2nd commission (Open to the public)
Room 306 A

- The institutional framework of sustainable development and international governance of the environment
- Green economy in the framework of sustainable development and the elimination of poverty: challenges to make green planet

- **Afternoon**

14:00 - 16h00
Amphi 400 C

- Discussion of the preamble to the Declaration
- Discussions of the recommendations
- Adoption of the Declaration (preamble and recommendations)
- Adoption and opening to the signature of the call of the lawyers and associations of environmental law
- Closing

The recommendations concerning each topic will be translated into several languages and will be sent to the Conference of “Rio+20” which take place in June (4th to 6th) 2012 in Rio de Janeiro (Brazil).

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