

# 2nd IUCN World Environmental Law Congress

## High-Level Judicial Segment

*The Role of Judges: Environmental Law 2030 and Beyond*

Rio de Janeiro, Brazil

Wednesday, 8 December - Friday, 10 December 2021

### PRELIMINARY PROGRAMME

This decade is a critical juncture in humanity's response to the global crises of climate change and biodiversity loss. In this context, the IUCN World Commission on Environmental Law (WCEL) and partners have planned the [2nd World Environmental Law Congress](#) around the following theme: *Environmental Law 2030 and Beyond*.

Due to the COVID pandemic, the 2nd Congress, originally scheduled for March 2020, has been split into *regional events* (Mexico City, Rabat, Suva, Singapore, Paris) and a *global high-level judicial event*, all of them organized in a hybrid format throughout 2021. The events share the same theme, connected to implementing [Agenda 2030 and the 2030 Sustainable Development Goals \(SDGs\)](#), the [Paris Agreement to the UN Framework Convention on Climate Change](#), and the [Convention on Biological Diversity \(CBD\)](#), and focused on the future—in contrast to earlier events looking to the past and present of environmental law.

In light of Agenda 2030, the SDGs, and continued and emerging global challenges, the High-Level Judicial Segment of the 2<sup>nd</sup> World Environmental Law Congress is expected to **reaffirm, further develop, and advance** the [2016 IUCN World Declaration on the Environmental Rule of Law](#) and the [2018 Brasilia Judicial Declaration on Water Justice](#), in light of the [Marseille Manifesto](#) and [outcomes of the 2021 IUCN World Conservation Congress](#) (September 2021), the [recognition of a right to a clean, healthy and sustainable environment](#) by the United Nations Human Rights Council (September 2021), the [Kunming Declaration of CBD COP 15](#) (October 2021), and the outcomes of [UNFCCC COP 26 in Glasgow](#) (November 2021).

The Judicial Segment is organized by the IUCN [World Commission on Environmental Law](#) (WCEL), in cooperation with the [United Nations Environment Programme](#) (UNEP), the [Global Judicial Institute on the Environment](#) (GJIE), the [International Association of Judges](#) (IAJ), the [Asian Development Bank](#) (ADB) as well as several other international and national institutions. It will be hosted by the Supreme Court of the State of Rio de Janeiro.

The relationship between WCEL and GJIE was first formalized in 2016 when IUCN Members adopted Resolution 6.071 requesting WCEL and the IUCN Director General assist GJIE to meet its objectives. This relationship was reaffirmed in 2020 when IUCN Members adopted Resolution 37 urging WCEL and IUCN State Members to continue their collaboration with GJIE to strengthen judicial capacity.

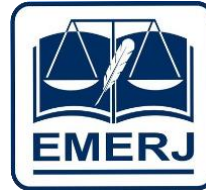
The event opens on the evening of Wednesday, December 8, with its first full day (Thursday) dedicated to the environmental rule of law and climate change, and the second full day (Friday) focused on major biodiversity issues.



World Commission  
on Environmental Law

Commission Mondiale de  
Droit de l'Environnement | Comisión Mundial  
de Derecho Ambiental

**In Cooperation With**



Global Judicial Institute  
on the Environment  
Institut Judiciaire Mondial  
de l'Environnement  
Instituto Judicial Mundial  
del Ambiente



International Association of Judges  
*promoting an independent judiciary worldwide*



**AMB**  
Associação dos  
Magistrados  
Brasileiros



**AJUFE**



**ASIAN DEVELOPMENT BANK**

## Wednesday, 8 December

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### OPENING

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#### 17:00–17:45 **Cultural Opening**

##### Masters of Ceremony:

- Daniela Bandeira (Judge and Special Advisor to the Chief Justice Office of the Supreme Court of Rio de Janeiro)
- Bruno Bodart (Judge and Special Advisor to the Chief Justice Office of the Supreme Court of Rio de Janeiro)

#### 17:45–18:30 **Welcoming Remarks**

##### **Brazilian Institutions**

- Justice Henrique Carlos de Andrade Figueira (Chief Justice of the State of Rio de Janeiro)
- Eduardo Paes (Mayor of Rio de Janeiro)
- Justice Cristina Tereza Gaulia (Director, Judicial Academy of Rio de Janeiro)
- Judge Eunice Bitencourt Haddad (President-Elect, Association of Judges of the State of Rio de Janeiro – AMAERJ)
- Judge Eduardo André Brandão (President, Brazilian Association of Federal Judges – AJUFE)
- Ambassador José Carlos da Fonseca Jr. (The Forest Dialogue and Executive-Director, Brazilian Tree Industry –IBÁ)

##### **International Institutions**

- Professor Christina Voigt (Chair, IUCN World Commission on Environmental Law – *Video Link*)
- Justice Walter Barone (President, Latin American Federation of Judges – FLAM)
- Justice José Igreja Matos (President, International Association of Judges, Rome)

#### 18:30–19:00 **Opening Video Addresses**

##### Chair:

- Judge Admara Falante Schneider (AMAERJ)

##### Speakers:

- Bruno Oberle (Director-General, IUCN, Geneva)
- Inger Andersen (Executive Director, United Nations Environment Programme – UNEP, Nairobi)
- Achim Steiner (Administrator, United Nations Development Programme – UNDP, New York)
- Elizabeth Mrema (Executive-Secretary, Secretariat of the Convention on Biological Diversity, Montreal)
- Thomas Clark (General Counsel, Asian Development Bank, Manila)

#### 19:00–19:30 **Keynote Opening Lecture: Climate Change, Biodiversity and the Environmental Rule of Law**

##### Chair:

- Justice Elton Leme (Supreme Court of Rio de Janeiro)

##### Keynote Speaker:

- Christina Voigt (Professor, University of Oslo, Faculty of Law, Norway, and Chair, IUCN World Commission on Environmental Law – *Video Link*)

#### 19:45–21:45 **Opening Reception**

## **Thursday, 9 December**

### **Environmental Rule of Law and Climate Change**

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#### **9:00–9:15 Introduction to the Programme**

##### **Programme Coordinators:**

- Denise Antolini (Professor, University of Hawaii School of Law, and member of the WCEL Steering Committee)
- Nicholas Bryner (Professor, Louisiana State University, United States of America)

#### **9:15–10:15 Judges and Climate Change**

##### **Co-Chairs:**

- Justice Sapana Pradhan Malla (Supreme Court of Nepal)
- Lord Justice Keith Lindblom (Court of Appeal of England and Wales – *Video Link*)

##### **Keynote Speakers:**

- Justice Luc Lavrysen (President, Constitutional Court of Belgium and European Forum of Judges on the Environment – *Video Link*)
- Nicholas Robinson (Professor, Pace University, WCEL Chair Emeritus and Governor, International Council of Environmental Law – ICEL – *Video Link*)

#### **10:15–10:45 Climate Change, Biodiversity and the Environmental Rule of Law in the *Montevideo V Programme***

##### **Co-Chairs:**

- Andrea Brusco (Environmental Governance Regional Coordinator, Latin America and Caribbean, UNEP, Panama City – *Video Link*)
- Andrew Raine (Head of the International Environmental Law Unit, UNEP, Nairobi – *Video Link*)

##### **Speakers:**

- Patricia Kameri-Mbote (Professor, Nairobi University and Director, UNEP Law Division – *Video Link*)
- Marcelo Cousillas (Co-Chair of the Steering Committee of the UNEP Montevideo V Program and Director of Legal Affairs, Ministry of Environment, Uruguay)

#### **10:45–11:15 Discussion among Judges and Legal Scholars about Two Previous Panels**

#### **11:15–12:00 The Water Crisis and the 2018 Brasília Declaration of Judges on Water Justice**

##### **Co-Chairs:**

- Justice Roberto Maia (Supreme Court of the State of São Paulo)
- Vincent Pfammatter (Academic Fellow, Center for Philanthropy of the University of Geneva, Switzerland)

##### **Speakers:**

- Michael Hantke Domas (former Justice, Environment Tribunal of Chile)
- Kunzang (Bhutan, Rapporteur Montevideo V Programme – *Video Link*)

#### **12:00–12:20 Discussion among Judges and Legal Scholars about Two Previous Panels**

12:20–12:50 **The 2021 IUCN Marseille Manifesto: Key Messages to Judges on Biodiversity and Climate Change**

Co-Chairs:

- Norbert Bärlocher (Head, Rio Conventions Section, International Affairs Division, Federal Office of the Environment, and IUCN Councillor, Switzerland)
- Ana Di Pangracio (IUCN Regional Councillor, Meso and South America and Deputy Director, Fundación Ambiente y Recursos Naturales – FARN, Buenos Aires – *Video Link*)

Keynote Speaker:

- Grethel Aguilar (IUCN Deputy-Director and Environmental Law Expert, Geneva – *Video Link*)

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**Lunch**  
**12:50 - 14:30**

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14:30–15:30 **Roundtable on Judicial Education on Climate Change and Biodiversity Law: The African and Asian Experiences**

Co-Chairs:

- Robert Wabunoha (UNEP – Nairobi – *Video Link*)
- Justice Paul Kihwelo (High Court and Director, Institute of Judicial Administration, Tanzania)

Speakers (by last name alphabetical order):

- Gomolemo Moshoeu (Director, Judicial Academy of South Africa – *Video Link*)
- Christina Pak (Principal Counsel, Asian Development Bank – *Video Link*)
- Carlos Serra (Lecturer, Centro de Formação Jurídica e Judiciária, and University Eduardo Mondlane, Mozambique – *Video Link*)
- Sandra Nichols Thiam (Environmental Law Institute – ELI – Washington DC, *Video Link*)

15:30–15:55 **Discussion among Judges and Legal Scholars about Panel**

15:55-16:15 **Coffee Break**

16:15–17:45 **Global Panorama of Climate Change Litigation: A Dialogue Among Judges [Closed Session]**

Co-Chairs:

- Justice Michael Wilson (Supreme Court of Hawaii, USA)
- Judge Fruzsina Bögös (Secretary-General, EU Forum of Judges for the Environment, Hungary – *Video Link*)

Opening Keynote Speakers (by last name alphabetical order):

- Justice Nambitha Dambuza (Supreme Court of Appeal, South Africa – *Video Link*)
- Justice Sayed Mansoor Ali Shah (Supreme Court, Pakistan – *Video Link*)
- Justice Brian Preston (Chief Justice, Land and Environment Court of New South Wales, Australia – *Video Link*)

17:45–19:15 **Roundtable Discussion among Judges on Climate Change Litigation [Closed Session]**

Co-chairs:

- Justice Michelle Weekes (High Court of Barbados)
- Justice Ambeng Kandakasi (Deputy Chief Justice, Supreme Court of Papua New Guinea – *Video Link*)

Discussants (by last name alphabetical order):

- Justice Syed Refaat Ahmed (Supreme Court of Bangladesh – *Video Link*)
- Justice José Eduardo Ayú Prado Canals (Supreme Court of Panama)
- Justice Ricardo Cintra Torres de Carvalho (Supreme Court of the State of Sao Paulo)
- Judge Marc Clément (President of Chamber, Administrative Tribunal of Lyon, France – *Video Link*)
- Justice Brian Cottle (Eastern Caribbean Supreme Court, St. Vincent & the Grenadines – *Video Link*)
- Judge Patricia Antunes Laydner (Director, Judicial Academy of the State of Rio Grande do Sul)
- Justice Magdangal de León (Philippines Court of Appeals)
- Judge Pablo Lorenzetti (Provincial Judge, Argentina – *Video Link*)
- Judge Roque Camacho Negrete (Agro-Environmental Court of Santa Cruz, Bolivia)
- Justice Nicola Pain (Land and Environment Court, New South Wales, Australia – *Video Link*)
- Justice Antonio de Souza Prudente (Federal Court of Appeals of the 1<sup>st</sup> Circuit, Brazil – *Video Link*)
- Justice I Gusti Agung Samanatha (Supreme Court of Indonesia – *Video Link*)
- Judge Gabriel Wedy (Federal Judge, Brazil)

19:15 **Adjourn**

## **Friday, 10 December**

### **Biodiversity and Judges**

#### **9:00–10:15 The Role of Courts in Protecting Environmental Defenders**

##### Co-Chairs:

- Justice Emmanuel Ugirashebuja (Minister of Justice, Rwanda, and former Chief Justice of the East African Court – *Video Link*)
- Claudia S. de Windt (Chief Executive IJIS, Adjunct Associate Professor, American University, Washington College of Law, and member of the WCEL Steering Committee)

##### Keynote Speakers:

- Arnold Kreilhuber (Deputy-Director, UNEP Law Division – *Video Link*)
- Ramiro Batzin Chojoj (IUCN Councillor and Global Coordinator, International Indigenous Forum on Biodiversity – *Video Link*)
- César Rodríguez-Garavito (Professor and Director, Center for Human Rights and Global Justice, New York University School of Law – *Video Link*)

#### **10:15–11:15 Judges and the Oceans Crisis**

##### Co-Chairs:

- Justice Swatanter Kumar (Former Justice of the Supreme Court of India and former Chief Justice, National Green Tribunal, India – *Video Link*)
- Judge Wendy Martínez Mejía (Court of Appeals of Santo Domingo, Dominican Republic)

##### Speakers:

- Nilufer Oral (Professor, member of the United Nations International Law Commission and Director, Centre for International Law, National University of Singapore – *Video Link*)
- Agnes Michelot (Professor, Université La Rochelle, former President of the Société Française pour le Droit de l'Environnement, France, and member of the WCEL Steering Committee – *Video Link*)

#### **11:15–12:00 Discussion among Judges and Legal Scholars on two previous Panels**

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**Lunch**  
**12:30 - 14:15**

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#### **13:45–15:15 The Promises of the Glasgow Climate COP 26 and Stockholm+50**

##### Co-Chairs:

- Justice Ragnhild Noer (Supreme Court of Norway – *Video Link*)
- Justice Damaris Vargas (Supreme Court of Costa Rica)

##### Keynote Speakers:

- Lord Robert Carnwath (Former Justice, United Kingdom Supreme Court – *Video Link*)
- David R. Boyd (UN Special Rapporteur on Human Rights and the Environment and Professor, University of British Columbia, Canada – *Video Link*)
- Yann Aguila (Global Pact for the Environment, Paris – *Video Link*)

**15:15–16:30 Rights of Nature**

Co-Chairs:

- Émilie Gaillard (Professor, Sciences Po Rennes, France)
- Justice Paulo Ayrosa (President, Environment Grand Chamber, Supreme Court of the State of São Paulo)

Speakers:

- Justice Alfredo Gutierrez (Supreme Court of Mexico – *Video Link*)
- Justice Agustín Grijalva Jiménez (Constitutional Court, Ecuador – *Video Link*)
- Justice Luis Tolosa (Supreme Court of Colombia – *Video Link*)

**16:30–17:45 Judges, Forests and Protected Areas**

Co-Chairs:

- Justice Nitin Jamdar (Bombay High Court, India – *Video Link*)
- Alejandra Rabasa (Jurisprudential Researcher, Center for Constitutional Studies, Supreme Court of Mexico)

Speakers:

- Braulio Dias (Professor and Former Executive-Secretary, Secretariat of the Convention on Biological Diversity, Brasília)
- Justice Norma Piña (Supreme Court of Mexico – *Video Link*)
- Judge Marcus Livio Gomes (National Judicial Council of Brazil – CNJ)

**17:45-18:15 Discussion among Judges and Legal Scholars about the three previous Panels**

**18:15-18:35 Congress Outcomes**

Co-Chairs:

- Daniela Bandeira (Judge and Special Advisor to the Chief Justice Office of the Supreme Court of Rio de Janeiro)
- Bruno Bodart (Judge and Special Advisor to the Chief Justice Office of the Supreme Court of Rio de Janeiro)

Speakers:

- Denise Antolini (Professor, University of Hawaii School of Law, and member of the WCEL Steering Committee)
- Nicholas Bryner (Professor, Louisiana State University, United States of America)

**18:35-19:45 Closing Keynote Addresses**

Co-Chairs:

- Sheila Abed (Former Minister of Justice, Paraguay; Chair Emeritus, World Commission on Environmental Law)
- Justice Luis Felipe Salomão (National High Court of Brazil – STJ)

Keynote Speakers:

- Justice Fabien Raynaud (Conseil d'État, France – *Video Link*)
- Justice Ricardo Lorenzetti (Supreme Court of Argentina and Professor, University of Buenos Aires – *Video Link*)



**19:45 – 20:15 Congress Closing**

Chair:

- Justice Henrique Carlos de Andrade Figueira (Chief Justice of Rio de Janeiro)

Speakers:

- Ayman Cherkaoui (IUCN WCEL Deputy Chair, Morocco – *Video Link*)
- Jacqueline Alvarez (Regional Director and Representative, UNEP Latin America and the Caribbean Office)
- Gabriel Quijandría (IUCN Regional Director, Quito – *Video Link*)
- Alejandro Iza (Director, IUCN Environmental Law Centre, Bonn – *Video Link*)
- Judge Felipe Gonçalves (President, Association of Judges of the State of Rio de Janeiro)

**20:15 – 23:00 Closing Reception and Live Music**