



JUST TRANSITION AND INTERNATIONAL LAW

Conference 7-8 September 2023

Dalhousie Building
University of Dundee

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Climate change threatens humanity and supporting ecosystems.

International and regional legal and policy frameworks, governments, development actors and the private sector are striving to deliver a global green energy transition.

Several international instruments affirm that this transition must be 'just' and align with wider sustainable development objectives and human rights norms.

The 2015 Paris Agreement, for example, acknowledges 'the imperatives of a just transitions of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities', while the UN 2030 Agenda and Sustainable Development Goals combine green energy transition and other environmental objectives with wide-ranging social and economic targets.

Self-evidently, measures to secure a systemic shift toward a lower carbon economy affects all countries, regions, industries, and communities.

The idea of a just transitions evokes policies that are designed and implemented in line with international principles, such as equity, participation, transparency and inclusion, and international human rights.

But the law, policy and scholarship on 'just transitions' are nascent and fragmented.

There are sizeable knowledge gaps over the underlying conceptual architecture, economic, institutional, and social implications of a just transitions, at international, regional and national levels.

The conference will analyse challenges raised by just transitions to a low-carbon economy in, and for, international law. These challenges will be considered in five panels, focusing on:

- Human Rights and Just Transitions
- Just Transitions and Business
- Just Transitions and International Economic Law
- Global Perspectives on Just Transitions
- Just Transitions Litigation

Keynote Speeches

The conference includes two keynote speeches delivered by **Judge Tim Eicke** (online), the European Court of Human Rights, and **Professor Freya Baetens**, Bonavero Institute of Human Rights, University of Oxford.

International Law in Scotland

The Dundee conference follows conferences in International Law hosted by the Universities of Aberdeen in 2022, Edinburgh in 2019 and Glasgow in 2018 and is generously sponsored by the **Society of Legal Scholars** the **Clark Foundation** the **Institute for Social Sciences Research** and the **Just Transition Hub**.

Conference Programme

7 September

Time	Event
09.30 - 10.00	Registration
10.00 - 10.15	Welcome
10.15 - 12.00	Panel 1: Human Rights and Just Transition - Chair Irene Couzigou, University of Aberdeen Speakers: <ul style="list-style-type: none">• Marlene Payva - Rethinking Nature Amidst Climate Crisis: A Human Rights Law Perspective• BKM Kayasekera - The Office for Reparations Act in Sri Lanka to achieve Sustainable Development Goals: A Snowball of Transnational Justice?• Misan Afinotan - Just Transitions in the Anthropocene: Human Rights and Environmental Justice Challenges for Resource-Dependent Countries in Africa• Piers Reilly - Justice requires Participation: The integration of Agency into government decision making as a route to protecting and advancing Human Rights.
12.00 - 13.00	Lunch
13.00 - 14.30	Panel 2: Just Transition and Business - Chair Claire O'Brien, University of Dundee Speakers: <ul style="list-style-type: none">• Tara Van Ho -Without Reforming the Corporate Purpose, All Of This Is Pointless• Alexandra R Harrington - Multisectoral Just Transitions to a Low Carbon Economy in a Post-Pandemic World• Caroline Lichuma - The Vernacularization of the Just Transition Concept: A Role for National Action Plans on Business and Human Rights• Larry Catá Backer - The Just Transitions of Risk–Human Rights, Sustainability and the ESG Wars• Zoumpoulia Amaxilati - Decarbonisation of the Shipping Industry, Just Transition, and the Role of International Maritime Labour Law
14.30 - 15.00	Break

15.00 - 16.30	<p>Panel 3: Just Transitions and International Economic Law - Chair Sufyan El Droubi, University of Dundee</p> <p style="text-align: center;">Speakers:</p> <ul style="list-style-type: none"> • Matteo Fermeglia, Claudia Wortmann - A Full and Just Reparation? Rethinking the Standards For Compensation in International Investment Law Against the Energy Transition • Melike Yavuz Dalgic - Just Transitions and Investor's Public Health Obligations: Examining Investor Responsibilities in Promoting Health Equity during Sustainable Transitions • Anna Butenko - Network Codes and Guidelines in the Energy Community Contracting Parties: Just Transition Path to European Energy Market? • Diana María Beltrán-Vargas, Mariana Jaramillo Puentes - The Reach of Environmental Clauses in Investment Treaties for a World in Crisis • Monika Feigerlová - The Modernised Energy Charter Treaty Through the Lenses of a Just Transitions
16.30 - 17.15	<p>Keynote: Prof Freya Baetens, Head of Programmes, Bonavero Institute of Human Rights, University of Oxford</p>

8 September

Time	Event
10.00 - 12.00	<p>Panel 4: Just Transitions Litigation - Chair Annalisa Savaresi, University of Stirling and University Eastern Finland</p> <p style="text-align: center;">Speakers:</p> <ul style="list-style-type: none"> • Joana Setzer - Just Transition Litigation. What is it all about? • Hana Müllerová - Two Approaches to the Concept of Just Transition from the International Law Perspective • Giada Giacomini - The Role of Accountability Mechanisms of International Organizations in the Just Transition • Pedi Obani - The Political Economy of Just Transition Litigation in the Global South • Daria Shapovalova - Just Transition Litigation and the Oil and Gas Sector
12.00 - 13.00	<p>Lunch</p>

13.00 – 14.30	<p>Panel 5: Global Perspectives on Just Transitions – Chair Kim Bower, University of Durham</p> <p style="text-align: center;">Speakers:</p> <ul style="list-style-type: none"> • Godswill A. Agbaitoro – Energy Transition in Emerging and Developing Countries: Towards Social Inclusion and Environmental Rights-based Approach • Cristiano d’Orsi – Forest Transition in Central and Southern Africa and the Protection of Human Rights • Aditi Basu – Adhering to Paris Agreement: India’s Just Energy Transition through Renewables in a Post-Pandemic World • Adam Novák – Just Transition in Post-Communist European Countries • Adebayo (Bayo) Majekolagbe – Towards a Just Post-Fossil Era: Globalizing Just Transition
14.30 – 15.00	Break
15.00 – 16.00	Keynote: Judge Tim Eicke, European Court of Human Rights
16.00 – 17.00	Roundtable with Irene Couzigou, University of Aberdeen; Ana Maria Daza Vargas, University of Edinburgh; Sufyan El Droubi, University of Dundee; Giedre Jokubauskaite, University of Glasgow; Andrew Lang, University of Edinburgh; Annalisa Savaresi, University of Stirling.
17.00	Goodbye drinks

Biographical Notes

Afinotan, Misan

Dr Misan Afinotan is a lecturer in law at the University of Exeter (Penryn) where he teaches and researches broadly in the areas of environmental law, environmental justice, socio-ecological resilience, climate change law and climate justice. His core approach to legal research is interdisciplinary, fusing theory and praxis from political science, environmental politics, political philosophy, and African legal philosophy.

Agbaitoro, Godswill A.

Godswill A. Agbaitoro is a lecturer in law at the University of Essex, UK. His areas of interest lie in energy justice and energy transition in the context of the Global South, Environmental law, and Corporate social responsibility in the energy sector.

Amaxilati, Zoumpoulia

Dr Amaxilati is a lecturer in law in the Institute of International Shipping and Trade Law at Swansea University. Her main teaching and research areas are related to international maritime labour law, international regulation of shipping, and admiralty law. Before joining the Institute, she was a lecturer in law at Queen Mary, University of London. She has also been a tutor at the University of Southampton and has worked as a lawyer in Greece. She holds an LLB from the Aristotle University of Thessaloniki, Greece, and an LLM in Maritime Law from the University of Southampton, from which she also obtained her PhD. Dr Amaxilati has recently contributed a chapter, *The Human Element in Autonomous Shipping*, in B. Soyer and A. Tettenborn (eds), *Disruptive Technologies, Climate Change and Shipping*.

Baetens, Freya

Freya Baetens is Professor of Public International Law at the Faculty of Law, Head of Programmes at the Bonavero Institute of Human Rights and Fellow at Mansfield College. As a Member of the Brussels Bar, she regularly acts as counsel or expert in international and European disputes before international tribunals and courts such as the European Court of Human Rights, the Inter-American Court of Human Rights, the World Trade Organisation and the European Court of Justice.

Basu, Aditi

Aditi Basu has completed her Masters in Political Science and is an India-based independent researcher. Her research interests include Indian Foreign Policy, International Relations, Feminist Power Politics, Soft Power Diplomacy and Climate Diplomacy. Prior to this, she has presented her papers in different conferences and workshops in U.K., USA, Canada, Serbia, Croatia and South Africa on India's cultural importance and climate initiatives in influencing its foreign policy. Of late, she presented her papers on India's Renewable Energy Politics in Chiang Mai University, Thailand and on India's space diplomacy at the Transplanetary Ecologies Workshop by the Centre for Outer Space Studies, University College London (UK) in June this year.

Beltrán-Vargas, Diana María

Diana María Beltrán-Vargas is a lawyer from Universidad Externado de Colombia (LLB), with a postgraduate degree in Contract Law from the same University and Magister (LLM) in International Commercial Law from the University of Leicester (UK). She has worked in the private practice in the areas of Litigation and commercial law. Nowadays she works full-time as professor and researcher at Universidad Externado's Economic Law Department, focusing on topics related with international economic law.

Butenko, Anna

Anna Butenko is an experienced energy lawyer, combining gas and electricity sector expertise with a strong academic background. In addition to her duties as Legal Manager System Operations at ENTSO-E, Anna is a Senior Research Fellow at the Institute for Energy and the Environment at Vermont Law School (VLS).

Catá Backer, Larry

Larry Catá Backer holds a professorship at the Penn State University and is the W. Richard and Mary Eshelman Faculty Scholar Professor of Law and International Affairs, Penn State University and School of International Affairs, Pennsylvania State University (2001-), Ashgate Publishing Globalization Law & Policy Series editor (2010-), and the executive director of the Washington-based NGO Coalition for Peace and Ethics (2006-). He is a prominent comparative corporate and international law scholar and a leading researcher in constitutional law. He is a member of the American Law Institute and the European Corporate Governance Institute. He has served as a grant peer reviewer for The Hague Institute for the Internationalization of Law in the Netherland, Social Sciences and Humanities Research Council of Canada and others.

Couzigou, Irène

Irène Couzigou is professor of International Law at the University of Aberdeen School of Law. She researches in the field of general International Law, including International Human Rights Law. Her current research focuses on International Law on Peace and Security, especially International Law on Cybersecurity, International Law on the Use of Force, and United Nations Law where she has published extensively. Having been trained up to her doctoral degree at the University of Paris II, Professor Couzigou keeps a strong research interest in French Public Law. Professor Couzigou teaches general and specialised courses in International Law, at both undergraduate and postgraduate levels. She acts as the Law School LLM Director and a Law School senator. She is also the Law School research liaison officer: she represents the Society of Legal Scholars, convenes the Law School Research Seminar Series, and welcomes visiting scholars. Before coming to the University of Aberdeen, Professor Couzigou researched and taught at the Universities of Paris II (France), Heidelberg (Germany), and Mannheim (Germany). Professor Couzigou was a Research Fellow of the University of Paris II, the German Academic Exchange Service, and the Max Planck Institute for Public Comparative Law and International Law.

d'Orsi, Cristiano

Dr Cristiano d'Orsi is a Lecturer and Senior Research Fellow at the South African Research Chair in International Law (SARCIL), Faculty of Law, University of Johannesburg. He holds a two-year Diplôme d'Etudes Approfondies (Master of Advanced Studies equivalent, International Relations (International Law), Graduate Institute for International and Development Studies, Geneva); and a PhD in International Relations (International Law) from the same institution. Additionally, Cristiano has done post-doctoral studies at the University of Michigan Law School (Grotius Scholar) and at the Centre for Human Rights, University of Pretoria. His research interests mainly focus on the development of Public International Law in Africa.

Eicke, Tim

Judge Tim Eicke has been the judge elected in respect of the UK at the European Court of Human Rights since 2016. After studying the English Law LLB at Dundee University, he practised as a barrister at Essex Court Chambers and was appointed a Queen's Counsel in 2011. As a barrister, Judge Eicke regularly presented cases before the UK Supreme Court, the Court of Justice of the European Union and the European Court of Human Rights.

Feigerlová, Monika

Monika Feigerlová works as a Researcher Associate at the Centre for Climate Law and Sustainability Studies of the Czech Academy of Sciences in Prague. She holds a PhD from the Charles University in Prague and a master from the Graduate Institute and University of Geneva. Her research focuses on foreign investment, corporate responsibility and climate litigation. She was admitted to the Czech Bar Association and serves on the Executive Council of the Czech Society for International Law. She is the author of chapters on corporate climate responsibility and international economic law in the recently published first Czech book on climate law.

Fermeglia, Matteo

Matteo Fermeglia is an Assistant Professor in International and European Environmental Law and Post-Doctoral Assistant at Hasselt University, Faculty of law, where he teaches European Environmental Law and European Climate & Energy Law. His main research interest lies in the interplay between international investment law and the climate change legal regime. In 2017, he was a visiting scholar at Columbia Law School, where he collaborated with the Sabin Center for Climate Change Law and the Columbia Centre for Sustainable Investments. He regularly (co-) authors internationally peer-reviewed journal articles in the field of environmental and climate law and was awarded the Raúl Estrada-Oyuela Award for Emerging Scholars in Climate Law in 2017 by Lexxion publishers.

Giacomini, Giada

Giada Giacomini is a postdoctoral researcher in SNSF funded project "Accountability of International Organizations" at the Geneva Graduate Institute (Switzerland). She is currently working on just transition climate litigation and the accountability mechanisms of International Organizations. Previously, she was Max Weber Fellow at the European University Institute, Department of Law (Italy), academic year 2022-2023. In 2022 she published her monograph, "Indigenous peoples and climate justice: a critical analysis of international human rights law and governance" with Palgrave Macmillan.

Harrington, Alexandra R.

Dr Alexandra R. Harrington is a Lecturer in Law (Environment) at Lancaster University Law School and Chair of the IUCN World Commission on Environmental Law Agreement on Plastic Pollution Task Force. She has authored *Just Transitions and the Future of Law and Regulation*, several other monographs, and has forthcoming monographs relating to intergenerational equity, transitional justice, international organizations, and just transitions.

Jaramillo Puentes, Mariana

Mariana Jaramillo Puentes is a lawyer from Universidad Externado de Colombia (LLB), where she also works as Research Assistant at the Economic Law Department. Likewise, she has experience in the private practice on matters related with economic law.

Jayasekera, BKM

BKM Jayasekera is a Lecturer in Law, Department of Public Law, Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka. She is having Bachelor of Laws (Honours) and Master of Laws (LLM), with specialization in International Law. Additionally, she is an Attorney-at-Law at the Supreme Court of Sri Lanka, and a Notary Public, Commissioner for Oaths and Registered Company Secretary. She has been teaching Public International Law and Interpretation of statutes in undergraduate and post-graduate courses. She has published articles in book chapters, prominent law journals along with attending and speaking at law conferences. She was an editor of KDU International Law Journal, KDU Conference Abstract book and proceedings (Faculty of Law) and South Asian Law Review.

Jokubauskaite, Giedre

Giedre Jokubauskaite is a Senior Lecturer in International Law at the University of Glasgow. Previously she was a Visiting Research Fellow at the University of Rosario (Bogota, Colombia), a Research Fellow at the Centre for International Sustainable Development Law at the University of Cambridge, and a Post-Doctoral Research Associate at the Durham Law School. She is currently co-leading a Just Transitions research cluster at the University of Glasgow, and she is steering of a joint CSO-academia initiative on debt and green transition. Her most recent research focus on local resistance to green development in situations of protracted conflict, environmental impact assessments and due diligence, and legal challenges to just transitions, with a focus on regulating carbon markets.

Lang, Andrew

Andrew Lang is Chair in International Law and Global Governance at the University of Edinburgh. He was previously Professor of Law at the London School of Economics, and JRF at Trinity Hall, University of Cambridge.

Lichuma, Caroline Omari

Caroline Lichuma is a Post-doctoral researcher at the Department of Law, University of Luxembourg. Her current research is in the area of Business and Human Rights. She completed her PhD (Summa Cum Laude) at the Georg-August Universität, Göttingen, where she was a DAAD scholar. Her doctoral research was on the domestic adjudication of Economic and Social Rights. She holds an LL.M. in Public International Law from the New York University School of Law, where she was a dean graduate scholar, and an LLB from the University of Nairobi.

Majekolagbe, Adebayo (Bayo)

Adebayo (Bayo) Majekolagbe, PhD is an Assistant Teaching Professor at the University of Alberta Faculty of Law where he teaches climate change law and constitutional law (Fall, 2023). He is a fellow at the Marine and Environmental Law Institute, Dalhousie University, and the African Sovereign Debt Justice Network. His research primarily focuses on the theme of *Justice and the Transition*; a theme he explores within the contexts of climate change and international investment law, business and human rights, and sustainability and impact assessment. He has published in peer reviewed journals including the McGill Journal of Sustainable Development Law, Dalhousie Law Journal, Journal of Environmental Law and Practice (now Justice, Ecology, Law and Place), and the Fordham International Law Journal. He has also co-authored studies, policy briefs, and commissioned reports including the SSHRC funded synthesis report on impact assessment and responsible business conduct tools in Canada. Bayo's research on the just transition impact assessment framework has received the Vanier Canada Award, Killam Award, and the 2023 Dalhousie Doctoral Thesis Award.

Müllerová, Hana

Hana Müllerová (JUDr, PhD) leads the Centre for Climate Law and Sustainability Studies (CLASS) established in 2020 at the Institute of State and Law of the Czech Academy of Sciences, Prague. Within her original expertise in environmental law, her research work included e.g. the topics of the human right to a favourable environment, public participation in environmental decision-making, or legal protection of animals. Her new specialisation lies in climate law. Thanks to the support of the *Lumina quaeruntur* academic award, she founded the Centre for Climate Law and Sustainability as the first research unit specializing in climate law in the Czech Republic. The Centre aims to establish and systematically develop this new field of law in the Czech Republic and to contribute to solving problems and challenges related to climate change. Within the area of climate law, H. Müllerová now focuses on the human rights instruments' application in climate protection, just transition, climate litigation, and developments in international and national climate law. Under her leadership, the CLASS team has recently published the first collective volume on climate law in Czech.

Novák, Adam

Adam Novák is a Member of Centre for Climate Law and Sustainability at the Institute of State and Law of the Academy of Sciences of the Czech Republic and is currently working as an attorney-at-law with a focus on environmental law. He wrote his PhD thesis "Microplastics and Plastics from a Legal Perspective" at the Law at the Faculty of Law of Charles University.

Obani, Pedi

Pedi Obani is an Associate Professor in the School of Law University of Benin, and a Barrister and Solicitor of the Supreme Court of Nigeria. She is also a Fellow of the African Academy of Sciences and Earth Systems Governance, respectively; and a Visiting Research Fellow for the University of Leeds GCRF Water Security and Sustainable Development Hub. She has over a decade of research, project management and capacity building experience in climate change, water and natural resources management, with expertise in urban services, gender inclusiveness, regulatory framework, policy implementation, and governance projects. She has contributed to flagship international reports and agenda setting for sustainable natural resource governance. She holds a PhD in Human rights and Inclusive Development, with a focus on the human right to sanitation, from the University of Amsterdam, and has a strong academic publication record. She has received prestigious academic grants and fellowships, including the African Studies Association UK's Mary Kingsley Zochonis Fellowship in 2019.

Payva, Marlene

Marlene Payva is Senior Researcher at The Northern Institute for Environmental and Minority Law at the Arctic Centre, University of Lapland. Marlene's research concentrates on international environmental law, climate change law and governance, and human rights, with an emphasis on socio-ecological justice, climate litigation, corporate responsibility and global 'green' transformation issues. Her current research explores non-traditional (post-anthropocentric) approaches to Arctic governance and law.

Reilly, Piers

Piers Reilly is a PhD researcher with the Faculty of Business and Law, Anglia Ruskin University, and is based at the Global Sustainability Institute. Piers joined ARU having previously worked with national government, international organisations, and industry advising on sustainability, security, and international law. He holds an LLB (hons) and an LLM (EU law) and his interdisciplinary research is examining ways to accelerate the required transition to net-zero.

Savaresi, Annalisa

Annalisa Savaresi is Professor of Law at Stirling University and Associate Professor at the Center for Climate Change, Energy and Environmental Law, University of Eastern Finland. She is an expert in environmental and climate change law, with 20 years' experience working with international and nongovernmental organizations. Annalisa currently is Director for Europe of the Global Network on Human Rights and the Environment, Associate Editor of the Review of European, Comparative and International Law and member of the IUCN World Commission on Environmental Law. She has given evidence to the UK, the EU and Scottish Parliaments and sits on the Board of Environmental Standards Scotland, the body scrutinising Scottish public authorities' compliance with environmental law established by the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.

Setzer, Joana

Joana Setzer is an Assistant Professor at the Grantham Research Institute on Climate Change and the Environment. Joana leads the Grantham Research Institute's research on climate litigation and the Climate Change Laws of the World project - the most comprehensive global resource on climate policy and legislation. Joana's research interest has been on climate change governance, particularly investigating the engagement of subnational governments and the role of courts in climate governance.

Shapovalova, Daria

Daria Shapovalova is a senior lecturer in energy law at the University of Aberdeen. She is the co-director of the Aberdeen University Centre for Energy Law and coordinator of the University's Just Transitions Lab. Daria coordinates the Energy LLM theme and leads courses on energy and environmental law. Daria's current research is on climate change and energy law with a focus on just transition. She is the Chair of the Scottish Arctic Network and published extensively on Arctic energy and environmental governance.

Van Ho, Tara

Tara Van Ho is a Senior Lecturer at the University of Essex and co-Director of the Essex Business and Human Rights Project. She is the co-President of the Global Business and Human Rights Scholars Association and sits on the Editorial Board of the Business and Human Rights Journal. She also worked as an Assistant Professor and a Postdoctoral Fellow with the Department of Law and INTRALaw Centre at Aarhus University in Denmark.

Vargas, Ana María Daza

Ana María's research interests cover International Investment Law, International Law, Water Law and Water Management, WTO Law and Economic Regulation. Ana María has been and continuous to be an independent consultant for AACNI International Law Firm. She is also the editor of the online newsletter Arbitration Watch.

Wortmann, Claudia

Claudia Wortmann is a PhD researcher at Hasselt University, Faculty of Law. She obtained her Bachelor of Arts in Politics and International Studies from the University of Melbourne and her Juris Doctor from Monash University. Claudia has previously practiced as a solicitor in a commercial law firm in Melbourne, specialising in local government litigation and advisory work before moving to Belgium to commence her PhD in late 2022. Her research focuses on the intersection of international investment law and climate law.

Yavuz Dalgic, Melike

Melike Yavuz Dalgic has been actively engaged in both academia and legal practice over the past seven years. She currently holds the position of a lawyer at the Bursa Bar Association (Turkiye) for 6 years and is also studying for her PhD program at Anadolu University (Turkiye), which focuses on public international law. Between 2022 September and 2023 February, she did her PhD research at Universidade de Lisboa (Portugal) as an exchange student. Her doctoral thesis is based on international investment law and sustainable strategies.