



## *EnAct Conference on Human Rights and Investment Law for Climate Change: Trends and Prospects*

*20 – 21 March 2023, Copenhagen, Denmark*

*Meeting room: Flexroom (ground floor)*

*Faculty of Law, University of Copenhagen*

*Njalsgade 76, DK-2300 Copenhagen*

### **PROGRAMME - Day 1**

| <b>Time</b>          | <b>Programme</b>   |
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| <b>08:30 – 09:15</b> | <b>Arrival and registration</b><br><i>Pastry, fruit and beverages will be served</i>   |
| <b>09:15 – 09:40</b> | <b>Opening and Welcome</b><br><br><i>Dean Professor Jacob Graff Nielsen, Faculty of Law, University of Copenhagen (TBC)</i><br><br><i>Associate Professor Beatriz Martinez Romera, Faculty of Law, University of Copenhagen</i>  |
| <b>09:40 – 10:10</b> | <b>Opening ‘keynote’ addresses: Keynote 1</b><br><br><b>Governing Fossil Fuel Production in the Age of Climate Emergency: Towards an International Law of ‘Leaving it in the Ground</b><br><i>Professor Harro van Asselt, University of Eastern Finland</i>  |
| <b>10:10 – 10:30</b> | <i>Coffee Break</i>  |
| <b>10:30 – 12:00</b> | <b>Session 1: Setting the Scene: Interaction between Human Rights, Investment Law, and Climate Change</b><br><br><b><u>Chair: Professor Jacques Hartmann,</u></b> University of Dundee<br><br><b>Enhancing Climate Action through International Law</b><br><i>Associate Professor Beatriz Martinez Romera, Assistant Professor Alessandro Monti, and Assistant Professor Linnéa Nordlander, Faculty of Law, University of Copenhagen</i> |

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|                             | <p><b>Towards a fair green transition? Pension fund investments in climate mitigation and practices in response to the corporate responsibility to respect human rights</b><br/> <i>PhD candidate Jacqueline Tedaldi</i>, Centre for Law, Sustainability &amp; Justice (CLS&amp;J), Department of Law, University of Southern Denmark<br/> <i>Professor Karin Buhmann</i>, Director of the Centre for Law, Sustainability &amp; Justice (CLS&amp;J), Department of Law, University of Southern Denmark</p> <p><b>Multi dimensional Interactions among International Rules on Human Rights, Investment and Climate Change: Examination of Three Analogies and Their Limits</b><br/> <i>Assistant Professor Kie Abe</i>, Kobe University Graduate School of Human Development and Environment</p> <p><b>Human rights and environmental obligations and outbound investments: The relevance of the EU’s ‘essential elements’ clauses</b><br/> <i>Professor Lorand Bartels</i>, Trinity Hall, University of Cambridge</p> <p><b>Human Rights Due Diligence and Investor Responsibility in International Investment Law: Potential for Incorporating Climate Change Considerations</b><br/> <i>PhD candidate Sek Lun Cheong</i>, Melbourne Law School, University of Melbourne</p> |
| <p><b>12:00 – 13:00</b></p> | <p><b>Lunch</b><br/> <i>Buffet lunch</i></p>  |
| <p><b>13:00 – 14:45</b></p> | <p><b>Session 2: The Greening of Existing Normative Standards</b></p> <p><b><u>Chair: Professor Jeff Colgan</u></b>, Brown University</p> <p><b>‘Reimagining’ compensation in investment arbitration for a fair clean energy transition: what role for climate change and human rights considerations?</b><br/> <i>Assistant Professor Nikolaos Giannopoulos</i>, Utrecht University and Netherlands Institute for the Law of the Sea and Utrecht University Centre for Water, Ocean and Sustainability Law</p> <p><b>Reading in Mitigation Obligations in Internationally Recognised Human Rights</b><br/> <i>Ruby Rorty</i>, Independent Researcher</p> <p><b>Business and Human Rights in a Climate Change Context: What Obligations for Investors?</b><br/> <i>Dr. Claire Methven O’Brien</i>, Danish Institute for Human Rights</p>  |

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|               | <p><b>Evolving Standards of Investment Protection in the ECT Modernization: a New Era for Climate-Related Investor-State Disputes?</b><br/> <i>Assistant Professor Alessandro Monti</i>, University of Copenhagen, Faculty of Law and <i>Assistant Professor Matteo Fermeiglia</i>, Hasselt University, Faculty of Law</p> <p><b>Ensuring the effectiveness of environmental exceptions in international investment agreements by means of joint interpretations</b><br/> <i>Assistant Professor Tibusay Morgandi</i>, Queen Mary University of London, School of Law</p> <p><b>Forward-Looking or Tunnel Vision? Sustainable Investment Standards and their Downstream Consequences for Developing Economies</b><br/> <i>PhD candidate Soo-Hyun Lee</i>, Lund University</p>  |
| 14:45 – 15:15 | <i>Coffee break</i>  |
| 15:15 – 16:45 | <p><b>Session 3: Litigation as a Double-Edged Sword</b></p> <p><b><u>Chair: Professor Jens Elo Rytter</u></b>, University of Copenhagen</p> <p><b>Human rights-based litigation in the transition towards net zero societies: A double edge sword?</b><br/> <i>Associate Professor Annalisa Savaresi</i>, The Center for Climate Change, Energy and Environmental Law, University of Eastern Finland</p> <p><b>Carbon Majors Litigation: What Prospects for Litigation against Investors?</b><br/> <i>Associate Professor Sara Seck</i>, Schulich School of Law, Dalhousie University<br/> <i>Adjunct Professor Adebayo Majekolagbe</i>, Faculty of Law, University of Alberta</p> <p><b>Courts and scientific knowledge on climate change cases: Time for new approaches?</b><br/> <i>PhD candidate Juliana Augustinis</i>, Department of Public Law, and Governance, Tilburg University</p> <p><b>Whose responsibility? - Children and youth representing future generations in climate change litigation</b><br/> <i>Dr. Kata Dozsa</i>, Postdoctoral fellow, Faculty of Law, University of Antwerp</p> <p><b>From expropriation to exception: can states not pay for green regulation?</b><br/> <i>PhD candidate Michal Plšek</i>, University of Milano Bicocca, School of Law</p> |
| 18:00 – 20:15 | <p><b><i>Speakers Conference Dinner at Høst Restaurant</i></b><br/> <i>(Nørre Farimagsgade 41- 1346 København K)</i></p>   |

## PROGRAMME - Day 2

| Time          | Programme   |
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| 08:30 – 08:45 | <b>Arrival</b><br><i>Pastry and beverages will be served</i>  |
| 08:45 – 09:15 | <b>Opening ‘keynote’ addresses: Keynote 2</b><br><br><b>The Paris Agreement and the Investment Treaty Regime</b><br><i>Professor Lauge Poulsen, University College London</i>   |
| 09:15 – 10:30 | <b>Session 4: Prospects for Reform and Law-making</b><br><br><b>Chair: Professor Andreas Müller</b> , University of Basel<br><br><b>Trends in Human Rights Lawmaking: the Implications of ‘Norming’ Climate Rights</b><br><i>Dr. Maria Antonia Tigre</i> , Sabin Center for Climate Change Law, Columbia University<br><i>Katherine Quinn</i> , Independent Researcher<br><br><b>Rethinking the “Full Reparation” Standard in Energy Investment Arbitration: How to take climate change into account?</b><br><i>Dr. Yawen Zheng</i> , Postdoctoral fellow, National University of Singapore<br><br><b>Definition of ‘Green’ Investment in light of Just Transition</b><br><i>Dr. Monika Feigerlová</i> , Institute of State and Law of the Czech Academy of Sciences, Centre for Climate Law and Sustainability Studies<br><br><b>Accommodating Climate Change in Investment Law: the Need for Investment Treaty Reform</b><br><i>Dr. Elena Cima</i> , Lecturer, University of Geneva |
| 10:30 – 10:45 | <b>Coffee Break</b>   |
| 10:45 – 12:15 | <b>Session 5: New frontiers</b><br><br><b>Chair: Adjunct Professor Danielle Spiegel-Feld</b> , Guarini Center on Environmental, Energy and Land Use Law, New York University School of Law<br><br><b>Investment in renewables and just transition: how the inclusion of females and youth improves human rights</b><br><i>Dr. Qaraman Hasan</i> , Postdoctoral fellow, School of Advanced International Studies, Johns Hopkins University<br><br><b>Rethinking nature amidst climate crisis: a human rights and investment law perspective</b><br><i>Dr. Marlene Payva</i> , The Northern Institute for Environmental and Minority Law, Arctic Centre, University of Lapland  |

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|                             | <p><b>A window of opportunity: the greening of human rights standards in Latin America and the Caribbean and its impact on investment law</b><br/> <i>Pablo D. Colmegna</i>, Faculty of Law, University of Buenos Aires</p> <p><b>Corporate climate responsibility through investment treaties: balancing foreign investor rights with environmental and social responsibility</b><br/> <i>PhD candidate Tuija von der Pütten</i>, University of Helsinki, Faculty of Law</p> <p><b>Greening the investment landscape: an empirical analysis of climate considerations in international investment agreements and policies</b><br/> <i>PhD candidate Abdurrahman Erol</i>, Erasmus University Rotterdam</p> <p><b>Environmental considerations in Chinese investment law and the role of green finance</b><br/> <i>Dr. Gianmatteo Sabatino</i>, Lecturer, Zhongnan University of Economics and Law</p> |
| <p><b>12:15 – 12:45</b></p> | <p><b>Closing session</b></p> <p><i>Chair: Associate Professor Beatriz Martinez Romera</i>, Faculty of Law, University of Copenhagen</p> <p><i>Professor Harro van Asselt</i>, University of Eastern Finland<br/> <i>Professor Lauge Poulsen</i>, University College London</p>  |
| <p><b>12:45 – 14:00</b></p> | <p><b>Lunch</b><br/> <i>Buffet lunch</i></p>   |