

DRAFT AGENDA

IUCN – The World Conservation Union
UNEP - United Nations Environment Programme
OECD – Organization for Economic Co-operation and Development
European Environmental Law Association
Italian Environmental Law Association
ICEF – International Court of the Environment Foundation

in collaboration with
Italian Council of the Judiciary

Symposium on Environmental Law for Judges

JOHANNESBURG SUMMIT NEXT STEPS:
*The Role of the Judiciary in the Implementation and Enforcement
of Environmental Law*

Rome
Italian Council of the Judiciary
Friday 9 & Saturday 10 May, 2003

In co-operation with
Council of Europe
European Commission

And

The Cousteau Society
Centre International de Droit Comparé
de l'Environnement
Biopolitics International Organisation
International Court of Environmental
Arbitration and Conciliation

Italian Constitutional Court
Italian Supreme Court
Italian Council of State
Italian Ministry for Foreign Affairs
Italian Ministry of Justice

With grants of

Italian Ministry of Environment

And

Provincia di Perugia
Ordine degli Avvocati di Bari

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Friday, 9 May 2003

8:30 a.m. – 9:30 a.m. Registration

9:30 a.m. – 10:30 a.m. INAUGURAL SESSION

Chair: Hon. Justice Giovanni Conso, former President, Italian Constitutional Court; former Minister of Justice; Honorary President, ICEF, Rome, Italy

Welcoming addresses:

Virginio Rognoni, Vice President, Italian Council of the Judiciary, Rome, Italy

and

Altero Matteoli, Italian Minister of Environment

General Introduction

An overview of *“The Main Issues related to the Implementation and the Enforcement of Environmental Law after Johannesburg”*

- Nicolas A. Robinson, Chair, Commission on Environmental Law, IUCN; Pace University School of Law, New York, USA
- Lal Kurukulasuriya, Chief, Environmental Law Branch, UNEP, Nairobi, Kenya: *“UNEP Programme for the Implementation of the Outcome of the Global Judges’ Symposium”*
- Pavel Suian, Senior Legal Officer, UNEP, Geneva, Switzerland
- Kenneth Ruffing, Acting Director, Environment Directorate, OECD, Paris, France: *“Implementing Environmental “Soft Law”: Some OECD perspectives”*.

10:30 a.m. – 10:45 a.m. Coffee-break

10:45 a.m. – 1:00 p.m. I SESSION

Round Table: “The Principles of the Human Right to the Environment: The Role of the Judiciary”

Chair: Hon. Justice Guy Canivet, President, French Supreme Court of Cassation, Paris, France

Opening address: Hon. Justice Nicola Marvulli, President, Italian Supreme Court of Cassation, Rome, Italy

Introduction:

Giovanni Cordini, University of Pavia, Italy

“The Human Right to Environment in the Charter of Fundamental Rights of the European Union”

Debate

Participants are kindly requested to summarise the key points of their contribution within max 10 minutes. Those who have submitted a written contribution will be first acknowledged by the chair (see attached list of contributors).

The Round table will focus on:

- suggestions on the modalities for training of Judges and other legal stakeholders for promoting more effective implementation and enforcement of the procedural aspects of the human right to the environment: information, participation and access at international, regional and national level.

- suggestions on the development of substantive aspects of the human right to environment: content, standard, connection with economic, social and cultural rights, experience of justiciability and applicability in Courts of Law.

1:00 p.m. – 2:30 p.m. Luncheon-break

2:00 p.m. – 2:30 p.m. Informal meeting for European judges (during lunch time)

2:30 p.m. – 5:00 p.m. II SESSION

Round Table: “The Role of the Judiciary in Implementing and Enforcing Environmental Law”

Chair: Hon. Justice Paul L. Stein, Justice, Supreme Court of NSW, Australia

Opening address: Hon. Justice Mario Schinaia, Council of State, Rome, Italy

Introductions:

- Georges Kremlis, Head, Environmental Division, European Commission, Brussels, Belgium
- Umberto Leanza, Ministry for Foreign Affairs, Rome, Italy
“The Centre for Prevention and Management of Environmental Conflicts - The Ecological Protection Zone in the Mediterranean Sea: Two Italian Initiatives”
- Corrado Clini, Director, Italian Ministry of Environment

Debate

Participants are kindly requested to summarise the key points of their contribution within 10 minutes. Those who have submitted a written contribution will be first acknowledged by the chair (see attached list of contributors).

The Round Table will focus on:

- suggestions on the implementation of the International Conventions

4:00 p.m. – 4:15 p.m. *Coffee-break*

4:15 p.m. – 5:00 p.m. **Debate**

5:00 p.m. – 6:00 p.m.

Meeting of the Judiciary Working Party of IUCN's Commission on Environmental Law

9:00 p.m.

Dinner Reception

Saturday, 10 May 2003

9:00 a.m. – 1:30 p.m. **III SESSION**

Round Table: “The Role of the Judiciary in Implementing and Enforcing Domestic, Regional and International Environmental Law: Next Steps Towards More Effective Information and Training”

Chair and introduction: Lord Justice of Appeal Robert Carnwath, RCJ, London, United Kingdom

Opening address: Hon. Justice Riccardo Chieppa, President, Italian Constitutional Court, Rome, Italy

Debate

Participants are kindly requested to summarise the key points of their contribution within max 10 minutes. Those who have submitted a written contribution will be first acknowledged by the chair (see attached list of contributors).

11:00 a.m. – 11:15 a.m. *Coffee-break*

11:15 a.m. – 1:00 p.m. **Debate**

1:00 p.m. – 1:30 p.m.

Conclusions and final recommendation:

- Hon. Justice Arthur Chaskalson, Chief Justice, South African Constitutional Court, South Africa;
- Lal Kurukulasuriya, Chief, Environmental Law Branch, UNEP, Nairobi, Kenya;
- Nicolas A. Robinson, Chair, Commission on Environmental Law, IUCN, New York, USA;
- Andrew Waite, President, European Environmental Law Association, London, United Kingdom;
- Hon. Justice Amedeo Postiglione, Italian Supreme Court of Cassation, Rome; Director, ICEF, Rome, Italy.

1:30 p.m.

Luncheon break