

# CALL FOR PAPERS

International Conference

## THE CROSSROAD OF INTERNATIONAL ENVIRONMENTAL LAW ENFORCEMENT

*The instrumentalization of other legal regimes and discourses in the era of fragmentation and the Anthropocene.*

*Barcelona, 2-3 December 2024*

ORGANIZED BY



Open University of Catalonia



ESIL Interest Group on International Environmental Law



ESIL Interest Group on the European and International Rule of Law

## Introduction

International Environmental Law (IEL) has experienced a major development and expansion in the last 50 years. The relevance of IEL has taken a significant leap as the international community acquired awareness of the increasing exploitation of natural resources beyond planetary boundaries. At the present stage, because of our dependence on fossil fuels and the limitations of the current transition to renewables, the rise in global temperature will most likely be more than three degrees in the next two decades, which will trigger devastating environmental and economic impacts, especially in the Global South. Moreover, another manifestation of this overshoot is the surpassing of at least four other planetary boundaries, namely, the alteration of the nitrogen and phosphorus cycles, the loss of biological diversity, chemical contamination and land use and deforestation. Humanity is running out of time to ensure environmental sustainability and stop climate change, and strong compliance with environmental international norms is not only advisable, but indispensable for the survival of flora, fauna and, of course, humans.

However, the effectiveness of IEL has been challenged by multiple factors, including the lack of accountability for its violations, and a propensity for soft compliance mechanisms that are non-adversarial and non-confrontational. These mechanisms may be considered adequate in terms of providing a greater space for States to develop sufficient capacities to comply with IEL obligations at a pace that respects their capabilities. However, it may also be argued that the urge to revert environmental impacts does not leave room for progressive enforcement, and that more accountability is needed to ensure the effectiveness of IEL. Nevertheless, IEL lacks strong enforcement mechanisms.

In contrast to the soft enforcement of IEL, other fields of law may open paths through which IEL obligations may be enforced, due to the close connection between the environment and societal challenges. In this regard, environmental law obligations have been channeled through tort law, constitutional law, international trade law, or human rights law –inter alia–, particularly in relation to subsistence human rights, such as the right to an adequate standard of living, and related rights aimed at covering basic material needs, such as food, water, and housing. In this process, IEL is translated into a tort law, constitutional law, trade law or human rights law discourse, which may impact how objectives are prioritized and goals are pursued.

The translation of environmental obligations into the law and language of these other legal regimes calls for an evaluation of the systemic risks such a merger may entail. In the first place, it is necessary to reflect on the adequateness of these regimes in the light of the particularities, ethos and objectives pursued by IEL; in the second place, considering the different –and perhaps non-aligned– interests pursued by the different regimes, it is necessary to identify whether it is in the interest of the enforcement of IEL for adjudicators from other fields of law to become interpreters and adjudicators on IEL, thereby creating jurisprudence and participating in the progressive development of IEL.

# THE CROSSROAD OF INTERNATIONAL ENVIRONMENTAL LAW ENFORCEMENT

## Call for Papers

The Scientific Committee of the International Conference “The crossroad of international environmental law enforcement: The instrumentalization of other legal regimes and discourses in the era of fragmentation and the Anthropocene” launches a call for papers and invites contributions that aim to explore the current tensions and synergies within international law from the perspective of the enforcement of international environmental law (IEL).

### ***Possible topics to be addressed:***

- Benefits and limits of IEL Non-compliance mechanisms.
- Alternative mechanisms for IEL enforcement and / or accountability, pertaining to other legal regimes: risks, benefits, and experiences.
- The interpretation and application of IEL in the context of the fragmentation of international Law and /or CIL development.
- The evolution of the concept of State jurisdiction and state responsibility in the light of IEL.

## Applications

### **I. ABSTRACT SUBMISSION:**

The deadline for abstract submission is **July 1, 2024**. Abstracts may be submitted via e-mail to the following email addresses: [ielconference@uoc.edu](mailto:ielconference@uoc.edu) and [paolo.farah@glawcal.org.uk](mailto:paolo.farah@glawcal.org.uk). Please include the following information, in separate documents:

- Document 1: **Anonymized abstract** (500-700-word).
- Document 2: **Authors' information**:
  - Name, affiliation and contact details (e-mail and phone number).
  - Title of the abstract.
  - A short CV, including a list of relevant publications, if applicable.
  - Whether the author is an ESIL member (being an ESIL member is not a requirement to submit the abstract).

Both senior and junior scholars are invited to participate in the call for papers. Multiple abstracts can be submitted, but only one abstract per author will be accepted.

### **II. BLIND REVIEW AND ACCEPTANCE:**

Applications will be submitted to a process of blind review, and all applicants will be informed of the decision of the selection committee by **July 30, 2024**.

# THE CROSSROAD OF INTERNATIONAL ENVIRONMENTAL LAW ENFORCEMENT

## III. PUBLICATION OPPORTUNITIES: DRAFT SUBMISSION

The conference organizers have publication plans for the presented papers. The precise nature and format of the publication will be discussed in more detail during the conference. Among the options already available at the time of the call for papers, the organizers envisage to publish a book collection in the Palgrave MacMillan/gLAWcal book series on “Global Issues” or a special issue/symposium in relevant peer-review SSCI or US journals.

A provisional draft of the paper should be submitted by **November 28, 2024**. The deadline and format of the final drafts will be discussed during the conference.

## Registration, Venue, and dates

The International Conference will take place in person, on the premises of the Open University of Catalonia (Universitat Oberta de Catalunya), Barcelona, Spain on the **2<sup>nd</sup> and 3<sup>rd</sup> of December 2024**.

We are pleased to offer an **optional dinner event** on the 2nd of December. Kindly note that participants are responsible for covering the cost of their own dinner (maximum cost: 45 euros)\*.

**Registration** will be open from March 20, 2024, at the following Registration Link: <https://symposium.uoc.edu/113850/detail/the-crossroad-of-international-environmental-law-enforcement.html>

### Registration fees:

Early Registration <b>until November 14, 2024</b> .....	<b>20 €</b>
Late Registration <b>from November 15, 2024</b> -.....	<b>60 €</b>

*\*During registration, attendees will be asked to indicate whether they will attend the dinner event.*

## Conference Chairs and Coordinators

Mariona Cardona-Vallès and Bettina Steible, Open University of Catalonia (Universitat Oberta de Catalunya), Ana Garcia (CEI International Affairs), Paolo Davide Farah (West Virginia University, USA & gLAWcal – Global Law Initiatives for Sustainable Development, United Kingdom)

## Scientific Committee

Chamu Kuppuswamy (University of Hertfordshire, United Kingdom), Martin Svec (Masaryk University, Brno, Czech Republic), Daria Boklan (HSE University).