

# Yale



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United Nations Institute for Training and Research



## ***Rights, Governance & Climate Change***

A Yale / UNITAR Workshop  
Faculty of Law and Administration, University of Warsaw  
Saturday, November 16th, 2013

### **1. Overview**

An international workshop on 'Rights, Governance & Climate Change' was held in Warsaw, Poland on Saturday, November 16<sup>th</sup>, 2013 as a parallel event during the 19<sup>th</sup> Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC). The workshop was jointly organized by the Governance, Environment & Markets Initiative at Yale University (GEM) and the United Nations Institute for Training and Research (UNITAR), in collaboration with the Faculty of Law and Administration of the University of Warsaw and the Centre for International Sustainable Development Law (CISDL). The workshop convened over 50 scholars, policy-makers, practitioners, and stakeholders from a variety of fields and disciplines to examine how substantive and procedural rights can be used to support, design, and implement effective and equitable solutions to address climate change and related challenges at multiple levels of governance. This report provides a brief overview of the discussions held during the workshop and outlines related outcomes and initiatives.

### **2. Background**

The interface of climate change and human rights gained wide international recognition when small island developing states (SIDS) adopted the 2007 Malé declaration calling on various UN bodies to address the human rights implications of climate change. This declaration, alongside the related efforts of Indigenous Peoples and civil society, resulted in decisions and resolutions adopted by Conference of the Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC) and the UN Human Rights Council (UNHRC). The UNHRC has affirmed that human rights obligations, standards, and principles have the potential to inform and strengthen international and national climate policy-making and the UNFCCC COP has reiterated that states had to fully respect human rights when taking action on climate change. These bodies have moreover recognized that the consequences of climate change have direct and indirect implications for the effective

enjoyment of a range of human rights, including the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and human rights obligations related to access to safe drinking water and sanitation. Finally, they have also highlighted that these consequences will be felt most acutely by vulnerable groups, such as Indigenous Peoples, the world's poor, women, and low-lying and small-island states.

Alongside these substantive human rights, the importance of procedural environmental rights and safeguards has also been recognized as paramount for effective and equitable climate policy and governance. Adopted by Head of States and Government in 1992, Principle 10 of the 1992 Rio Declaration emphasizes the importance of access rights (information, participation, justice) for advancing environmental sustainability. The recent 2012 Rio Conference on Sustainable reiterated the importance of procedural rights for sustainable development through the Outcome Document adopted at the Conference. An important development in the margins of Rio+20 was the signing by ten Latin American countries of the "Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development," which initiated a formal process to develop a regional instrument in this matter. The UNFCCC recognizes access to information and public participation in matters of climate change through Article 6. The Doha Work Programme on Article 6, adopted at COP 18 in 2012, encourages governments, international organizations, and non-governmental organizations to collaborate in matters of access to information and public participation. Under the Doha Work Programme, a formal Dialogue covering access to information, public participation, and public awareness is scheduled to take place in 2014.

Despite these important developments to advance procedural and substantive rights and climate change, gaps remain in understanding how these rights can be used in practice to foster effective and equitable solutions at multiple levels of governance. One knowledge gap concerns how rights obligations and principles, especially economic, social, and cultural rights, are implemented through good practices that can support policy-makers and practitioners in designing and implementing climate governance arrangements at various levels. A related challenge lies in identifying innovative means through which rights perspectives and standards can be linked with scientific, traditional, and other forms of knowledge on climate change and its impacts. Finally, further research may be beneficial to understand how action concerning the recognition and protection of rights to information, participation, and access to justice can strengthen climate governance and policy at local, national, and global levels.

### **3. Objectives**

In light of the critical challenges raised by the interface of rights, governance, and climate change, GEM and UNITAR, in collaboration with the University of Warsaw and CISDL, convened a day-long workshop on the margins of COP19 of the UNFCCC.

The workshop aimed:

- (1) To develop the broad outlines and themes of research needs and opportunities on rights, environmental governance, and climate change;

- (2) To facilitate the exchange of knowledge within an emerging community of practice, provide networking on these issues, and foster new initiatives and collaborative projects;
- (3) To feed into planning for the Yale/UNITAR global conference on rights, environmental sustainability and climate change in 2014.

#### **4. Summary of Discussions**

The workshop brought together over 50 scholars, policy-makers, practitioners, and stakeholders from a variety of fields and disciplines for a series of topical discussions on the intersections of rights, environmental governance, and climate change. Each session began with three speakers providing a 10-minute briefing on existing knowledge and key questions on a given theme. This was followed by an interactive discussion involving all workshop participants. The workshop closed with a conversation that highlighted key points emerging from the workshop towards fostering further research and related initiatives. The workshop was moderated by Mr. Sébastien Jodoin (Yale) and Dr. Achim Halpaap (UNITAR).

##### *Opening Session*

Following a welcome by Prof. Tomasz Giaro of the University of Warsaw, The Hon. Beata Jacewska, Secretary of State, Ministry of Environment of the Government of Poland affirmed the commitment of the Government of Poland to strengthening a rights-based approach to environment and climate change governance, referring in particular to Article 6 of the UNFCCC on “procedural human rights,” namely the right of access to information and public participation in relation to matters of climate change. Secretary Jacewska also cited research on increased human displacement and violence related to climate change and the grave human rights implications of these impacts. Dr. Achim Halpaap, Head of Environment at UNITAR referred to the long-standing collaboration of UNITAR and Yale University in bringing together scholars and policy makers in global conference and experts meetings addressing specific environmental governance issues, such as the workshop on rights and climate change lead by Yale.

Prof. Maria Kenig-Witkowska (University of Warsaw) captured the complexity of climate governance as it extends beyond states to private and transnational actors that are not directly included under many of the existing human rights treaties. Combined with the slow progress of global climate change negotiations, the need to integrate human rights into the climate change debate was reiterated. Strengthening procedural rights and normalizing human rights norms into the climate change process were raised as different ways to achieve this integration.

Prof. Ben Cashore (Yale) closed the opening session by suggesting a new orientation to climate change policy and law where human rights are a central pillar, and not an added on component. The workshop was organized in five main sections, which will be discussed in more depth below.

##### *Session 1: Linkages between Human Rights and Climate Change.*

The first session provided an overview of the global legal architecture for climate change as it relates to the existing human rights framework. Dr. Stephen Turner (Lincoln) described the limits of the Westphalia legal system, which was designed for states, and the shifting

power to corporations, financial institutions and trade organizations. This legal structure presents problems for the integration of human rights because it is limited in scope and unable to capture non-state actors. As a result, legal efforts on climate change, discussed by Gita Parihar (FOE-UK), focus on how to streamline human rights into existing treaties and looking at procedural rights for climate-related issues. Some ongoing efforts include improving access to the negotiations of UNFCCC treaties, participation for fund operations (e.g. Green Climate Fund), as well as developing grievance mechanisms (e.g. Clean Development Mechanism) that allow domestic actors to raise issues on the international stage.

While pushes to improve procedural rights at the international level are ongoing, Stanley Kimaren Riamit (ILEPA) raised the question of how indigenous knowledge is treated in the international regime. Riamit further posited whether the human rights discourse might create opportunities to promote customary rights and community-based approaches at the local level. During the open discussion, some participants cautioned limiting the question of human rights to “indigeneity,” since this term has different legal implications around the world and might serve to limit the application of human rights from an international stage. Additional comments stressed the importance of not confounding “indigenous” with “local” peoples, since procedural rights will be important generally to those populations most vulnerable to climate change impacts.

The discussion period also raised the issue of whether human rights practitioners might borrow lessons from other legal fields to address the climate issue, since the human rights framework has had limited success. The potential role of private law was also raised. The final comment brought up the legitimacy of norms and the reality that human rights are not readily recognized within the climate change negotiations. Furthermore, negotiators are operating in a different framework, so how to best integrate (or innovate) human rights into the climate debate remains a challenge.

#### *Session 2: The Potential of Human Rights and Legal Mobilization for Addressing Climate Change.*

The second session kicked off with a presentation from Dr. Lisa Vanhala (UCL) who analysed trends of legal actions over time. From a political science lens, Vanhala’s analysis sought to understand how rights become real and to determine whether litigation is the best use of limited resources. Vanhala’s findings showed an increase in litigation in recent years and raised some theoretical points about the degree of socialization of judges to understand the linkages between environment and human rights and the risk of putting decision-making in the judiciary, which is a non-democratically elected body and not directly accountable to the people.

Complementing this trend analysis, Vositha Wijenayake (Southern Voices) discussed how grassroots organizations perceive the role of litigation and stated that domestic litigation does not often happen on these issues in developing countries. Wijenayake questioned the linkages between international law and domestic law and especially the linkage to soft law, such as Principle 1 of the 1992 Rio Declaration “entitled to health and productive life in harmony.” To follow up on these questions, Katherine Lofts (CISDL) presented a new guidebook for practitioners that aims to help translate the International Covenant on Economic, Social and Cultural Rights to enable equitable climate policies.

In the discussion that followed, participants talked about the role of international courts in influencing decisions on the ground and the ability to use international principles, such as Principle 10 of the 1992 Rio Declaration, to raise local issues. Participants questioned whether alternatives to courts exist and if courts are the right institutions to deal with the climate problem or if they should be a measure of last resort.

*Session 3: Human Rights, Safeguards, and Climate Mechanisms.*

Dr. Constance McDermott (Oxford) started the third session with an overview of the emergence of REDD+ Safeguards. McDermott noted that the more participation of NGOs in the safeguard negotiations, the stronger the safeguards, but also the weaker the financial commitments. She also pointed out the importance of local context and governance structures, even when international language is adopted verbatim (i.e. case of Mexico, safeguards and *ejidos*). Joana Abrego (CIAM) followed the trend discussion, with a close look at the case of Panama, where knowledge of climate mechanisms is lacking. As a result, NGOs spend significant time making sure local officials are adhering to international mechanisms, of which implementation is poor.

To assist local efforts, Allie Silverman (CIEL) discussed two new tools from her organisation including: 1) “Forest Defender”- a web-based information tool for REDD receiving countries to assist with legal instruments related to REDD+ and 2) Community Packet Guide – an information exchange for communities on how to make use of international declarations and soft law.

The open discussion brought up interesting tensions regarding the role of safeguards, differences between CDM and REDD from an accountability perspective, the benefits of more decentralized rights versus regional and global conventions, and how learning occurs from the emergence of new mechanisms (e.g. certification). A final comment suggested starting from a rights-based approach and building a mechanism out, rather than tagging rights onto existing mechanisms. Using rights as the foundation for addressing climate change might provide a new avenue to joining these two issues in a creative solution.

*Session 4: Procedural Rights Initiatives at the Global and Regional Level: Creating Linkages.*

Building on a thread from the previous sessions, Sébastien Duyck (University of Lapland) discussed efforts towards a global Principle 10 convention and acknowledged the existing tensions in such an arrangement because states are still the primary decision-makers. Duyck’s presentation focused on enhancing access for civil society to decision-making processes, such as Green Climate Fund board meetings, as well as enhancing implementation of Article 6 in the UNFCCC.

Mr. Waldemar Coutts (Government of Chile) discussed the Latin American Declaration on the Application of Principle 10 of the Rio Declaration on Environment and Development signed in the margins of the Rio plus 20 Conference in 2012 by 10 countries from Latin America and the Caribbean, as well as the efforts of his Government to support the development of a regional instrument on Principle 10. He described these initiatives as win-win for people and the environment.

The discussion raised questions regarding the benefits of local versus regional versus global conventions as mechanisms to improve procedural access rights. The respective benefits and

trade-offs between hard and soft law were brought up, especially as they relate to issues of norms change, durable solutions, and defining the problem that people want to solve.

*Session 5: Opportunities for Linkages and Moving Forward.*

Conor Linehan (IBA Taskforce) began the fifth session by discussing a forthcoming publication of the IBA to determine underlying constraints and scopes of particular regimes for climate change and provide recommendations for the short and long term. Ariana Valenzuela (UNFCCC Secretariat) acknowledged the importance of public participation and implementing Article 6 as key to addressing climate change. She mentioned the Secretariat would be producing a report on participation in the UNFCCC process next spring if confirmed at the SPI.

Achim Halpaap (UNITAR) introduced the 2014 Yale/UNITAR conference on “Human Rights, Environmental Sustainability and the Post 2015 Development and Climate Change Regimes.” The aim of the conferences is to explore collective rights, constitutional rights to the environment, and analyse the impacts of environmental democracy on the environment. The conference will feed into several policy processes, such as the negotiations of Sustainable Development Goals and the World’s Indigenous Conference, which will be happening shortly after in New York City. Dr. Tara Shine (MRFCCJ) concluded the session by discussing the Mary Robinson Foundation’s work on climate justice, which is considering how to unblock equity in the climate process and build the case for moral and ethical reasons for climate action.

*Wrap up Session.*

Closing statements were made by Dr. Hanna Machinska (University of Warsaw), highlighting the challenges associated with climate-induced migration. Dr. Michael Dorsey (Wesleyan University) followed with some concluding remarks about the historical and spatial aspects of social movements and a review of critical moments of mobilization around climate justice that shape legally-orientated processes. Grace Balawag (Tebtebba Foundation) concluded the conference with remarks about the role of indigenous groups as observers in the UNFCCC process and integral participants in advocating for REDD+ safeguards.

Workshop participants brought diverse experience and expertise to the discussion. Some key themes and questions that emerged for further exploration include:

- How can human rights be further integrated and implemented as guiding principles and operational standards into the climate change negotiations?
- What mechanisms and strategies can be employed that put human rights at the forefront of climate solutions around the world?
- What are the tensions and trade-offs between pursuing local, regional, and global approaches to safeguarding rights to participation, information and justice in environmental matters?
- What are the strengths and limitations of a rights-based approach to climate change?
- How do concepts and rights for special categories of groups subject to discrimination align or compete with broader human rights objectives?
- How does climate change litigation impact human rights on the ground? How can the impacts of litigation be evaluated to determine the best use of resources?

- What are the best avenues or strategies for legal action across domestic, regional, and international judicial systems?
- What alternatives to litigation exist to strengthen the linkages between governance, rights, and climate change?

## **5. Acknowledgements**

The financial support of the United Nations Institute of Training and Research, the Yale Climate & Energy Institute, and the Government of Québec and the logistical support of the University of Warsaw is gratefully acknowledged. The conclusions of the workshop should not be seen as reflecting the views held by the workshop's sponsors or any of its organising partners.

## Annex I: Workshop Agenda

- Moderators: Sébastien Jodoin, Yale University, School of Forestry & Environmental Studies, Centre for International Sustainable Development Law and McGill Neotropical Ecology Lab
- Dr. Achim Halpaap, Head of the Environmental Unit, UN Institute for Training and Research
- 9:00 – 9:30 Opening Remarks
- Prof. Tomasz Giaro, Deputy Dean, Faculty of Law & Administration, University of Warsaw
- Beata Jaczewska, Under-Secretary of State, Ministry of Environment, Government of Poland
- Dr. Achim Halpaap, Head of the Environmental Unit, UN Institute for Training and Research
- Prof. Maria Kenig-Witkowska, Faculty of Law & Administration, University of Warsaw
- Prof. Ben Cashore, Director of the Governance, Environments and Markets initiative, Yale University
- 9:30 – 10:45 Session 1: Linkages between Human Rights and Climate Change
- Climate Change and International Human Rights Law  
Dr. Stephen J. Turner, University of Kingston, School of Law
- Human Rights Standards and Issues in the UNFCCC  
Gita Parihar, Friends of the Earth (England, Wales & Northern Ireland) & Human Rights and Climate Change Working Group
- Rights, Knowledge Systems, and Climate Change  
Stanley Kimaren Riamit, Executive Director, Indigenous Livelihoods Enhancement Partners (ILEPA), Kenya
- 10:45 – 11:00 Catered Coffee Break
- 11:00 – 12:15 Session 2: The Potential of Human Rights and Legal Mobilization for Addressing Climate Change
- Legal Mobilization of NGOs on Climate Change  
Dr. Lisa Vanhala, University College of London, Department of Political Science

Translating Economic, Social, and Cultural Rights into Guidance for Policy-Makers  
Katherine Lofts, Centre for International Sustainable Development Law

Climate Impacts and Legal Strategies  
Vositha Wijenayake, Regional Facilitator – Asia, Southern Voices Program

12:15 – 13:15

Catered Lunch

13:15 – 14:30

Session 3: Human Rights, Safeguards, and Climate Mechanisms

The Effectiveness and Influence of Climate Safeguards  
Dr. Constance McDermott, University of Oxford, Oxford Centre for Tropical Forests & Environmental Change Institute

Human Rights and Climate Policy in Panama  
Joana Abrego, Centro de Incidencia Ambiental

The Development and Implementation of Safeguards Systems for REDD+  
Allie Silverman, Centre for International Environmental Law

14:30 – 14:45

Catered Coffee Break

14:45 – 16:00

Session 4: Procedural Rights Initiatives at the Global and Regional Level: Creating Linkages

Public Participation within the UNFCCC Framework and Negotiations  
Sébastien Duyck, Northern Institute for Environmental and Minority Law, Arctic Centre, University of Lapland

Latin American Declaration on the Application of Principle 10 of the Rio Declaration on Environment and Development  
Mr. Waldemar Coutts, Director for Environment and Maritime Affairs, Ministry of Foreign Affairs of Chile

16:00 – 17:00

Session 5: Opportunities for Linkages and Moving Forward

IBA Taskforce on Human Rights and Climate Justice  
Conor Linehan, Partner, William Fry & Vice-Chair of IBA Taskforce on Human Rights and Climate Justice

Article 6 Dialogue on Access to Information, Public Participation and International Cooperation in 2014

Adriana Valenzuela Jimenez, Capacity-building and Outreach, UNFCCC Secretariat

2014 Yale/UNITAR Conference on “Rights, Environmental Sustainability and the Post 2015 Development and Climate Change Regimes”

Achim Halpaap, UNITAR

17:00 – 17:30

Closing Remarks

Dr. Hanna Machinska, University of Warsaw, Faculty of Law and Administration & Council of Europe

Prof. Michael Dorsey, Wesleyan University

Grace Balawag, Tebtebba Foundation – Indigenous Peoples’ International Centre for Policy Research and Education

18:00 – 19:30

Reception hosted by Yale University

Brief remarks from Prof. Benjamin Cashore, Yale University, School of Forestry & Environmental Studies

Key-Note Address from Dr. Antonio La Viña, LL.M. ’92, J.S.D. ’95 Dean, Ateneo School of Government, Adviser to the Philippine delegation to the United Nations Framework Convention on Climate Change (UNFCCC) and Coordinator for the Group of 77 and China for the Ad Hoc Working Group on the Durban Platform for Enhanced Action on Climate Change

Launch of the CISDL / GEM / ASAP manual, “Economic, Social, and Cultural Rights and Climate Change: A Legal Reference Guide”

Launch of GEM / IUFRO Issues and Options briefs on forest governance and policy.

## Annex II: Biographies of Moderators & Speakers

**Joana Abrego** is a Legal Consultant for the Climate Change Program of the Environmental Advocacy Center of Panama (CIAM). She received a Master's degree in International Legal Studies with specialization in International Environmental Law from American University, while a participant of the Fulbright Program for Foreign Students in Washington D.C. Joana is a member of the Environmental Law Alliance Worldwide.

**Grace Balawag** represents Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education). Tebtebba operates in the Philippines and is an indigenous peoples' organization born out of the need for heightened advocacy to have the rights of indigenous peoples respected, protected and fulfilled worldwide. It also advocates and works on the elaboration and operationalization of indigenous peoples' sustainable, self-determined development. Tebtebba actively engaged in the processes which led to the adoption of international human rights law and other international instruments, policies and agreements. These include the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the establishment of spaces within the United Nations, such as the UN Permanent Forum on Indigenous Issues, among others

**Dr. Ben Cashore** is Professor of Environmental Governance and Political Science at Yale University's School of Forestry and Environmental Studies and holds a courtesy appointment in Yale's Department of Political Science. He is a faculty affiliate of the Center for Business and Government at Yale, and the Global Institute of Sustainable Forestry. His research interests focus on non-state market-driven environmental governance, the impact and opportunities of globalization and internationalization on domestic and local environmental policy, firm-level "beyond compliance" sustainability initiatives, and comparative environmental policy. He is a prolific author of books and articles that integrate public policy, corporate social responsibility and international environmental governance. His work has won a number of awards/distinctions including winning the International Studies Association's Sprout Award for the best book on international environmental policy and politics for, *Governing Through Markets: Forest Certification and the Emergence of Non-state Authority* (with Graeme Auld and Deanna Newsom). He serves, or has served, on the editorial boards of the *Journal of Natural Resources Policy Research*, *Business and Politics*, the *Journal of Forest Policy and Economics*, and the *Journal of Sustainable Forestry*.

**Waldemar Coutts** is the Deputy Director of the Environmental Policy Directorate, Ministry of Foreign Affairs of Chile. Coutts has a LLB in Law and a BA in Political Science (University of Louvain, Belgium) and a post-graduate Diploma on International Relations (ENA, Paris). Coutts has been a member of the Chilean delegation to the XV Conference of the Parties of the United Nations Framework Convention on Climate Change. He also participates, on behalf of the Ministry of Foreign Affairs, in the Inter-ministerial Technical Committee on Climate Change, which establishes the inter agency coordination of policies on the issue at hand. Finally, on behalf of the Ministry of Foreign Affairs, he is also a member of the Steering Committee of MAPS-Chile (Mitigation Action Plans and Scenarios), a project combining research and stakeholder interest with policy and planning designed to establish the evidence base for long term transition to a robust economy that is both carbon

efficient and climate resilient, contributing to ambitious climate change mitigation that aligns economic development with poverty alleviation.

**Dr. Michael Dorsey** is Visiting Professor of Environmental Studies in the College of Environment. He is a graduate of the University of Michigan School of Natural Resources and Environment (B.S. & Ph.D.), Yale University's School of Forestry and Environmental Studies (M.F.S.) and The Johns Hopkins University (M.A.). His articles have appeared in *Nature*; *Carbon Market Europe*; *Journal of the North American Congress on Latin America (NACLA)*; *Capitalism, Nature, Socialism* and the *Los Angeles Times*. He has also authored numerous book chapters for edited volumes. His work focuses on global environmental governance, with particular attention to climate and biodiversity policy. Other interests include understanding how theories underscoring political ecology, political-economy, and institutional and organizational behavior explain and inform myriad efforts to manage the environment and shape sustainable development.

**Sébastien Duyck** is a PhD candidate at the Northern Institute for Environmental and Minority Law, Arctic Centre, University of Lapland. The focus of his dissertation is on the procedural rights of non-state actors in the international climate change regime. His main areas of research include climate governance, human rights and the environment, and Arctic governance.

**Dr. Tomasz Giaro**, Deputy Dean, Faculty of Law & Administration, University of Warsaw  
A lawyer. Giaro is a graduate of law at the University of Warsaw (1972), which is where he also defended his doctorate thesis (1978) and postdoctoral dissertation – habilitation (1988). He received the title of professor in 2009 and was a laureate of the Humboldt Foundation scholarship between 1984-1985. He performed research at the Max Planck Institute for European History of Law in Frankfurt am Main. During his stay in Germany, he also worked at the Goethe University in Frankfurt am Main and at the Free University of Berlin.

**Dr. Achim Halpaap** is the Associate Director of the Training Department and Head of the Environment Unit at the United Nations Institute for Training and Research (UNITAR). Prior to his appointment at UNITAR, Dr. Halpaap was Head of Section, Chemical and Waste Management Policies, at the Environmental Policy Directorate of the Bayer Corporation, Germany in 1990. He has served as a lecturer in the International Studies Department of the University of Oregon, where he developed and taught an interdisciplinary graduate level course on Global Environmental Issues. Additionally, he has served as the Director of the UNITAR/Yale Environmental and Democracy Initiative from 2006-2008, served as a member of the Executive Committee for the Strategic Approach to International Chemicals Management, and chaired the Inter-Organization Program of the Sound Management of Chemicals in 2001-2002. He is currently Chair of the International Coordinating Group on Pollutant Release and Transfer Registers and a member in the United Nations Environment Management Group. Dr. Halpaap is the author of several peer-reviewed publications concerned with international chemical risk governance, international environmental policy, and democratic environmental governance. He has extensively lectured on these topics in various international, national and academic fora.

**Beata Jaczewska** is the Under-Secretary of State for the Ministry of Environment, Government of Poland. An expert in climate issues, air pollution, and sustainable

development, Undersecretary Jaczewska studied at the Warsaw University, Jagiellonian University in Kraków, Warsaw School of Economics, and the University of Cambridge.

**Adriana Valenzuela Jimenez** works on Capacity-building and Outreach for the UNFCCC Secretariat.

**Sébastien Jodoin** is currently completing a PhD in environmental studies (law and public policy) at Yale University, for which he holds a Trudeau Doctoral Scholarship and a SSHRC Doctoral Fellowship. He is a member of the Governance, Environment & Markets Initiative at Yale University, the director of the One Justice Project, and a visiting doctoral scholar at the McGill Neotropical Ecology Lab. Sébastien has worked for the Centre for International Sustainable Development Law, the Canadian Centre for International Justice, Amnesty International Canada, and the United Nations International Criminal Tribunals for Rwanda and the former Yugoslavia. Sébastien holds degrees in common law and civil law from McGill University, a master's in law from the London School of Economics and a master's in international relations from the University of Cambridge and is a member of the Law Society of Upper Canada. In 2012, Sébastien received the Annual Public Scholar Award from the Yale Graduate School of Arts & Sciences for conducting research “that engages and betters the world at large.”

**Maria Magdalena Kenig-Witkowska** is the Deputy Director of the International Law Institute at the Faculty of Law and Administration and the Chair of European Union Law at the University of Warsaw. She is also a member of the Scientific Council of the University of Warsaw Center for Environmental Research, a member of International Law Association, and a member of the European Law Association. An international and national expert on environmental issues, she has served as consultant to UNEP, ILO, ECA, and governmental institutions. She was awarded The Judge Manfred Lachs Prize in 2006 and the Minister of Science and Higher Education Award for outstanding scientific achievements in environmental law in 2012.

**Stanley Kimaren Riamit** completed his BSc degree at Egerton University, a Diploma at Catholic University, both in Kenya, and an MA in Anthropology at McGill University. He co-founded and directs the Indigenous Livelihoods Enhancement Partners (ILEPA), an NGO that works on human rights and development in Narok County, Kenya. He has overseen the implementation of numerous development projects supported by international development partners including in climate change, and human rights and governance. He has ten years' experience in designing, implementing, monitoring and evaluating donor and community-driven development programs, and serves as Deputy Field director and instructor for the Field Study in Africa program administered by Utrecht University College in the Netherlands. Ole Riamit has conducted a number of research projects around indigenous knowledge systems and practices in the context of climate change. He is currently implementing a climate change adaptation project amongst indigenous Maasai women in southern Kenya.

**Conor Linehan** is a Solicitor (qualified in the Republic of Ireland and England & Wales). He is Head of Environmental Law at William Fry, Dublin; and an Adjunct Lecturer in Climate Change Law at the School of Law and Government, Dublin City University. He holds an MSc in Environmental Social Science from the University of Kent at Canterbury,

UK. He is an Officer on the International Bar Association's Environment Health and Safety Law Committee, and a Vice-Chair of the IBA President's Task Force on Climate Change Justice and Human Rights.

**Katherine Lofts** is an Associate Fellow with the Centre for International Sustainable Development Law. She is also the co-founder and Director of Research & Policy of the One Justice Project. Katherine previously worked for the law firm White & Case in New York, and has interned with UNICEF UK in London, the South Asia Human Rights Documentation Centre in Delhi, and Rights & Democracy's Women's Rights Programme in Montreal. She has also served as an Editor with the McGill International Journal of Sustainable Development Law and Policy and as a research assistant at the McGill Faculty of Law. Katherine is currently completing an LL.M. at McGill University, where she is specialising in environmental law, transitional justice, and Indigenous rights. She holds a B.C.L. and LL.B. from McGill University, an M.A. in English literature from McGill University, a B.A. in English literature from the University of Victoria and has studied law at the Université Paris 1 (Panthéon-Sorbonne).

**Dr. Hanna Machinska** is a professor at the University of Warsaw, Faculty of Law and Administration and Head of Council of Europe. She is also a director of the Council of Europe Information Office in Warsaw, Poland.

**Dr. Constance McDermott** is a James Martin Senior Fellow in Forest Governance at ECI and the new Oxford Centre for Tropical Forests (OCTF), and Chair of the Forest Governance Programme. Her research addresses the linkages among diverse local, regional and global priorities for sustainable forest management. It examines both "new" and "old" institutions of forest governance, from market-based initiatives such as forest and carbon certification to sovereign state-based and traditional community-based approaches, to better understand how dynamics of trust and power shape environmental and social policies and facilitate or inhibit desired outcomes. Her methods range from locally focused case studies to large-scale comparative research examining cross-institutional and cross-boundary interactions.

**Gita Parihar** is Head of Legal at Friends of the Earth (England, Wales & Northern Ireland) & Human Rights and Climate Change Working Group. She trained with charity specialist firm Bates, Wells & Braithwaite, before moving into the human rights and environmental world. Before joining Friends of the Earth she worked for development NGO Actionaid, a Holocaust claims tribunal and for Public Interest Lawyers on environmental and human rights cases such as *Al-Jedda v Secretary State for Defence*. At Friend of the Earth, Gita has brought a range of cases on matters from including a challenge to the Heathrow injunction against climate camp and is currently involved in a legal challenge to the government on FITs. As well as working on UK public law cases, Gita also deals with the Aarhus Convention advises Friends of the Earth International during the international climate negotiations.

**Allison Silverman** is a lawyer at the Center for International Environmental Law (CIEL). She works to advocate for human rights protections in climate change policies, such as REDD+, as well as to ensure that these laws and policies are translated on the ground. Prior to working at CIEL, Allie managed a campaign to promote renewable energy and energy

efficiency measures to challenge massive hydroelectric dams in Chilean Patagonia with the Natural Resources Defense Council. She was also a Fulbright Scholar in Panama where she implemented a solar energy pilot project that has supported the community in enabling community engagement, creating a secondary school for youth and a night school for adults, as well as providing local business opportunities.

**Dr. Stephen Turner** is a Senior Lecturer at Kingston University, London where he specialises in environmental law. He began lecturing 3 years ago and prior to that, had a varied background in business, law and industry. He has been researching the relationship between human rights and the environment for 10 years and has written two books on the subject. These are: *A Substantive Environmental Right* (Wolters Kluwer, 2009) and *A Global Environmental Right* (Routledge/Earthscan 2013). His most recent research has considered the relationship between human rights, the environment and global environmental governance with a specific focus on climate change. This research considers the potential for the development of a rights based treaty for renewed systems of global environmental governance. He undertook his LLM in environmental law at London University (SOAS) and a PhD on human rights and the environment at London University (Queen Mary).

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**Vositha Wijenayake** is a lawyer and a human rights activist from Sri Lanka, who takes a keen interest in equity and the environment. She is also a journalist and a legal researcher. Vositha presently works as the Executive Coordinator of SLYCAN, having worked since 2009 on bridging youth and environmental activism, and is currently on a mission to make SLYCAN a fully-fledged civil society organisation.