



Climate Emergency: Law, Policy, and Adjudication in the EU

In 2019, the European Parliament declared a global ‘**climate and environmental emergency**’. In the subsequent years, the EU has pledged to reduce 55% greenhouse gas emissions by 2030 and achieve climate neutrality by 2050, as laid out in the European Green Deal. Alongside legislative initiatives, **climate litigation** is ever-increasing across Europe, often led by civil society and NGOs, and employing a variety of legal arguments against both private and public actors to spur climate action. This shows a wide range of **different actors** – courts, policymakers, industrial sectors, and civil society – engaged with climate action in the face of climate emergency.

EU’s climate ambition forms a natural part of Sweden’s climate package but, as any Member State, this is translated into a particular, here Nordic, legal culture. Via the unique opportunity that **Sweden hosts the EU presidency** in 2023, this conference in Lund **aims to** reflect on **key questions** surrounding climate emergency and climate litigation in Europe. What are the legal implications of climate emergency for EU law, policy and adjudication? What role do civil society and NGOs play in this regard? What is the legal impact on private as well as public actors?

The conference takes place on the **9-10 May 2023 in Lund**. It is organized by the **EU Forum of Judges for the Environment (EUFJE)** and **Lund University** with the support of the Lund Centre for European Studies (CFE).

Members of the EUFJE 2023 Lund Conference Organizing Committee:

- **Prof. Luc Lavrysen:** President of the EU Forum of Judges for the Environment; President of Belgian Constitutional Court
 - **Prof. Xavier Groussot:** Professor of EU Law, Lund University
 - **Prof. Sanja Bogojevic:** Professor of Law, Oxford University; Visiting Professor of Environmental law, Lund University
 - **Dr. Meng Zhang:** Postdoctoral Fellow in Climate Law, LUSEM, Lund University
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- **Registration and Contact:**

If you wish to register your attendance for this event, please send an email for registration **before the 5th of May 2023 (Friday)** to

Dr. Meng Zhang (meng.zhang@har.lu.se). This event is free of charge and on-site only.

Should you have any questions with regard to this event, please do not hesitate to contact Dr. Meng Zhang.



Programme

Day 1: 9 May 2023, Tuesday

Auditorium Pufendorfsalen, Faculty of Law, Lund University

13:00 – 13:30 **Registration and coffee**

13:30 – 14:00 **Welcome address**

- **Prof. Per Mickwitz:** Pro Vice-Chancellor of Lund University; Former Chair of the Scientific Committee, European Environment Agency
- **Prof. Jörgen Hettne:** Director of the Lund University Centre for European Studies
- **Prof. Luc Lavrysen:** President of the EU Forum of Judges for the Environment; President of Belgian Constitutional Court

14:00 – 15:50 **Keynote Speeches**

Chair: Prof. Xavier Groussot, Lund University

- **Mr. Diederik Samsom:** Head of Cabinet of Executive Vice-President of the European Commission Frans Timmermans
(Pre-recorded video speech: 15 mins)
- **Prof. Claire Dupont:** Research Professor of Climate Governance, Ghent University; Chair of the Scientific Committee, European Environment Agency
(Virtual speech: 15 mins)
- **Dr. Åsa Romson:** Swedish Environmental Research Institute; Former Deputy Prime Minister and Former Minister for the Environment of Sweden
Paris Agreement and national climate laws enforcing climate reforms - but how do we know which reforms are necessary? (20 mins+ Q&A 20 mins)
- **Prof. Jonas Ebbesson:** Professor of Environmental Law, Stockholm University; Former Chair of the Compliance Committee of the Aarhus Convention
Multi-level law in climate litigation: the interaction of international, EU and national law (20 mins+ Q&A 20 mins)

15:50 – 16:20 **Coffee Break**

16:20 – 18:00 **Round Table Discussion**

Chair: Prof. Sanja Bogojevic, Lund/Oxford University

- **keynote speakers: Dr. Åsa Romson, Prof. Jonas Ebbesson**
- **Discussant: Prof. Han Somsen, Ms. Eleanor Sharpston**

19:00 **Welcome Dinner¹**

¹ Please note the welcome dinner is an event for speakers, panelists, and organizers of the conference only.



Day 2: 10 May 2023, Wednesday

Auditorium Pufendorfsalen, Faculty of Law, Lund University

08:30 – 10:10 **Thematic Session I** ‘Perspective from the courts: adjudicating climate change, law and policy in the EU’

Chair: Prof. Luc Lavrysen, EUFJE

- **Ms. Eleanor Sharpston**, Former Advocate-General, Court of Justice of the EU
Using courts to enforce environmental objectives - how far does "success" depend on the powers that you give them? (15 mins)
- **Mr. Frank Clarke**, Former Chief Justice of Ireland
Climate Law and the Separation of Powers (15 mins)
- **Ms. Natalia Kobylarz**, Senior Lawyer, European Court of Human Rights
Climate Change Litigation Relevant Case-law of the EctHR (15 mins)
- **Ms. Larisa Alwin**, Judge, Amsterdam Court of Appeal (*Judge, Royal Dutch Shell Case*), Netherlands
Observations from the Bench (15 mins)

Panel Discussion and Q&A: 40 mins

10:10 – 10:30 **Coffee Break**

10:30 – 12:00 **Thematic Session II** ‘Implications to industrial sectors: effects of EU climate litigation, law and policy on the climate actions from energy-intensive industries’

Chair: Prof. Xavier Groussot, Lund University

- **Prof. Christina Olsen Lundh**: Associate professor of environmental law, University of Gothenburg; Judge, District Court of Vänersborg, the Land and Environment Court
Swedish court climate and the climate (15 mins)
- **Prof. Lars J Nilsson**: Professor, Climate and energy policy, LTH, Lund University; Member of the European Scientific Advisory Board on Climate Change
Industrial decarbonization – future prospects and policy implications (15 mins)
- **Prof. Carl Dalhammar**: Associate Professor, Environmental law and policy, IIIIEE, Lund University
The emerging European legal framework for products, supply chains, and green industrial policy (15 min)

Panel Discussion and Q&A: 40 mins



12:00 – 13:00 **Lunch Break**

13:00 – 14:45 **Thematic Session III: Perspective from civil society: the role of civil society and grassroots activists in climate litigation, law and policy**

Auditorium Telaris, Faculty of Law, Lund University

Chair: Dr. Matthew Scott, Raoul Wallenberg Institute

- **Ms. Brittis Edman**, Swedish National Human Rights Institution
Climate litigation and the role of national human rights institutions (15 mins)
- **Ms. Jenny Sandvig**, Policy Director; **Ms. Hannah Cecilie Brænden**, Advisor, Norway's National Human Rights Institution
Third part interventions by National Human Rights Institutions in climate cases, including the European Court of Human Rights (20 mins)
- **Ms. Anna Rogalska Hedlund**, Legal Counsel for the Aurora Climate Case in Sweden (Presentation together with **Ms. Ida Edling** and **Ms. Greta Frisk**, Aurora Members)
The marriage of climate law and human rights law in strategic litigation (20 mins)

Panel Discussion and Q&A: 50 mins

14:45 – 15:00 **Concluding and Closing Remarks**

Prof. Luc Lavrysen, EUFJE

Prof. Xavier Groussot, Lund University

Prof. Sanja Bogojevic, Lund/Oxford University;

15:00 – 16:00 **Closing Fika**



List of Speakers of the Conference

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Dr. Åsa Romson: Former Deputy Prime Minister and Former Minister for the Environment of Sweden

Prof. Claire Dupont: Research Professor of Climate Governance, Ghent University; Chair of the Scientific Committee, European Environment Agency

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Ms. Anna Rogalska Hedlund: Legal Counsel for the organisation Aurora in Sweden