

Centre for Law and the Environment, UCC

Law and the Environment 2024

20th Annual Conference

(Thursday, 25th April 2024)

Concept Note

‘Rights, Remedies and Restoration in Environmental and Natural Resources Law’

The 20th annual *Law and the Environment Conference* at University College Cork (UCC) will focus on various forms of environmental rights (broadly understood) that may be asserted in law and on the full range of remedies and redress that may be available where such rights are infringed or impacted. The “rights” in question might include the full spectrum of protections and entitlements conferred by law upon all kinds of actors, including individuals and communities, governments and States, civil society, children, corporate bodies, consumers, investors, international organisations, and even nature or specific natural features. Related “remedies” might include the narrow range of options for redress traditionally available under environmental regulatory legislation or applicable common law grounds of action, or the broader range of specially tailored novel penalties and remedial action provided for under modern regulatory frameworks in other jurisdictions. In addition, rights and remedies might relate to protections and entitlements arising more indirectly under emerging paradigms of environmental, climate and natural resources law, such as just transition, the circular economy, the ecosystem approach or the SDGs.

Any exploration of environmental rights and remedies is intrinsically linked to issues of compliance, enforcement, ecological restoration and legal effectiveness. Of course, questions of environmental rights and remedies arise at every level of governance – national, EU, regional, international and transnational.

The conference seeks to highlight options for more effective compliance, redress, remediation and enforcement in environmental law, which might serve to protect the continually evolving rights and interests enjoyed by an ever-wider community of actors, stakeholders and interested parties. The conference organisers welcome proposals for papers / presentations reflecting upon (potential) remedial developments which might serve to improve modern environmental regulation and governance.

Possible topics might include, *inter alia*:

- The newly adopted EU Nature Restoration Regulation;
- Injunctive relief and damages in environmental law;
- Challenges in environmental remediation and ecological restoration;
- Innovation in environmental redress (and sanctions);
- Abuse of remedial processes, (*e.g.* strategic lawsuits against public participation - SLAPPs);
- Redress for false or misleading environmental claims (“greenwashing”);
- Remedies in public interest environmental and climate litigation;
- Remedies and green finance, sustainable investment, green public procurement, *etc.*;
- Procedural rights and remedies (*e.g.* under the Aarhus Convention);
- Barriers to redress (*e.g.* costs, standing rules, *etc.*);
- Agenda 2030 (SDGs) and environmental and natural resources entitlements;
- Circular economy and sustainable production and consumption;
- Transnational governance and market (in)access.

Notwithstanding the suggestions above, the *Law and the Environment Conference* aims, as always, to be as inclusive as possible. Therefore, proposals will be welcomed on any topic relating, even indirectly, to the broad ‘Rights and Remedies’ theme.

In addition, the Conference Programme will, as usual, include the well-established specialist sessions covering contemporary developments in such areas as:

- *Land-Use / Planning Law*;
- *Marine Environmental Law*;
- *Corporate Environmental Law*;
- *Climate & Energy Law*;
- *Fisheries & Aquaculture Law*;
- *Disaster Risk Governance*; and/or
- *Environmental Enforcement & Liability*.

Proposals for papers / presentations should be forwarded as soon as possible (and before the 31st January 2024 deadline) to the Conference Convenor, Prof Owen McIntyre, at:

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