

Centre for Law and the Environment, UCC

Law and the Environment 2023

19th Annual Conference



Environmental Law as Administrative Governance

Thursday, 20th April 2023
Boole Lecture Theatres 1, 3 and 4

[Online Registration Now Open](#)



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8:30 am Registration and Tea / Coffee (Boole Basement)

8:50 am Opening Remarks: Prof Owen McIntyre. Conference Convenor (Boole 3)

Parallel Session 1: Climate and Disaster Risk Governance: From the Global to the Local (Boole 4)

Chair: Dr Dug Cubie, School of Law, University College Cork

9:00 am Dr Marie Aronsson-Storrier, School of Law, University College Cork:
Positioning Nature and Climate in Global Disaster Risk Governance

9:20 am Dr Lydia Cumiskey, MaREI Centre, University College Cork:
European Regional Approaches for Strengthening Climate and Disaster Risk Governance: The DIRECTED Project

9:40 am Prof Susan Breau, School of Law, University of Victoria, British Columbia, Canada:
State Obligations in Climate and Disaster Risk Governance

10:00 am Mr Peter Medway, Community Climate Action Officer, Strategic and Economic Development Directorate, Cork City Council:
Enhancing Integration of Disaster Risk and Climate Change Adaptation into Irish Emergency Planning (EPA Report No. 419)

Parallel Session 2: The Evolving Aarhus Convention Regime (Boole 3)

Chair: Prof Áine Ryall, School of Law, University College Cork / Chair, Aarhus Convention Compliance Committee:

9:00 am Ms Deirdre McGoldrick, Office of the Commissioner for Environmental Information:
Access to Information on the Environment in Ireland: Trends, Challenges and the Role of the OCEI

9:30 am Dr Sean Whittaker, School of Humanities, Social Sciences and Law, University of Dundee:
Public Engagement and Environmental Governance: Examining a "Right to Submit" Environmental Information under the Aarhus Convention

10:00 am Ms Alison Hough, Faculty of Business and Hospitality, Technical University of the Shannon: Midlands:
The Status of Environmental NGOs under the Aarhus Convention

Parallel Session 3: Emerging Rights of Nature I (Boole 1)

Chair: Dr Rónán Kennedy, School of Law, University of Galway

9:00 am Mr Julián Suárez Bohórquez, School of Law, University College Cork:
Could Rights of Nature Be Overlapping, Redundant and Conflicting Regarding Existing Environmental Protection? An Overview of Selected European Domestic Law Frameworks

9:30 am Dr Amanda Byer, UCD Sutherland School of Law, University College Dublin:
Complicating Rights of Nature: A Global South Perspective

10:00 am Mr Gabriel Toolan, WP Toolan & Sons Solicitors, Ballinamore:
The Conceptual Development of Rights of Nature in the United States

10:30 – 11:00 am Tea / Coffee (Boole Basement)

Parallel Session 4: Frontiers of Environmental Governance I (Boole 4)

Chair: Ms Alison Fanagan S.C., A&L Goodbody Solicitors, Dublin

11:00 am Prof Temple Stoellinger, Haub School of ENR and College of Law, University of Wyoming and Prof Madeline Kass, Seattle University School of Law:
Conserving Wildlife & Biodiversity in the US and the EU

11:30 am Prof Michael Morris, School of Chemistry / Director, AMBER SFI Research Centre for Advanced Materials and Bio-Engineering Research, Trinity College Dublin:
How the Concept of “Circularity” is to be Enshrined within Legislation: The Role of Standards in Determining Policy

12:00 pm Ms Clíona Kimber S.C., Law Library, Dublin:
Blueprint for an Environmental Code: Proposals for a Model Environmental Law

12:30 pm Dr Mary Dobbs, Maynooth University School of Law and Criminology:
Rights and Safeguards in the Good Friday Agreement (GFA) and Article 2 of the NI Protocol: A Pathway to Environmental Protections Post-Brexit?

Parallel Session 5: Developments in Climate Law I (Boole 3)

Chair: Ms Michelle Martin, William Fry Solicitors, Dublin

11:00 am Dr Andrew Jackson, UCD Sutherland School of Law and Dr Orla Kelleher, Maynooth University School of Law and Criminology:
Ireland's Second-Generation Framework Climate Law: Gaps Between Law, Implementation and Justice

11:30 am Prof Patrick Parenteau, Emeritus Professor of Law and Senior Fellow for Climate Policy, Vermont Law and Graduate School:
How Courts in the European Union and United States View Their Role in Adjudicating Climate Litigation

12:00 pm Ms Gillian Lobo, ClientEarth, London:
The Significance of the UNHRC's Decision in Daniel Billy and Others v. Australia (Torres Strait Islanders Petition)

12:30 pm Prof Aoife Daly, School of Law, University College Cork:
A Better Environment for Children? The Draft UN Committee on the Rights of the Child General Comment on the Right of Children to a Healthy Environment

Parallel Session 6: International Environmental Governance (Boole 1)

Chair: TBC ***

11:00 am Dr Nick Hepworth, Executive Director, Water Witness International, Edinburgh:
Which Way for Water Justice Now? Lessons from Monitoring Accountability Against Water Law in Africa and Beyond

11:30 am Dr Sahara Nankan, School of Law, University College Cork:
Gender-Responsive Participation and Rights of Access to Water and Sanitation

12:00 pm Dr Kenneth Kang, School of Law, Liverpool John Moore's University:
Observing International Environmental Law Norms as System Problems: A Modern Systems Theory Perspective

12:30 pm Dr Noreen O'Meara, School of Law, University of Surrey:
The Global Plastics Treaty and Human Rights - The Ocean-Climate Nexus

1:00 – 2:00 pm Lunch (Mini-Rest, UCC)

Parallel Session 7: Developments in Marine Environmental Law (Boole 4)

Chair: Dr Anne Marie O'Hagan, MaREI Centre, University College Cork

2:00 pm Dr Anemoon Soete, Faculty of law and Criminology, Ghent University:
Conflicting Uses of the Sea: Zooming in on the Status of MPAs vis-à-vis High Seas Freedoms

2:30 pm Mr Conor Linehan S.C., William Fry Solicitors, Dublin:
Planning and Consenting in the Maritime Area: Offshore Wind Projects under the Maritime Area Planning Act 2021

3:00 pm Mr Eoin Fannon B.L., Law Library, Dublin:
1973 - Fisheries Ireland and the EEC

Parallel Session 8: Planning and Development Law (Boole 3)

Chair: Prof Mark Poustie, School of Law, University College Cork

2:00 pm Mr Tom Flynn S.C., Law Library, Dublin:
The Planning Bill 2023 - Implications for Environmental Law

2:30 pm Prof Amy Strecker, UCD Sutherland School of Law, University College Dublin:
Protection or Destruction? The Ambiguous Development of Ireland's Cultural Heritage Law

3:00 pm Dr Caer Smyth, School of Law and Politics, Cardiff University:
A Wellbeing Act for Ireland? The Appetite for Aspirational Legislation in the Irish Legal System

Parallel Session 9: Transnational Environmental Governance: Regulation of "Greenwashing" (Boole 1)

Chair: Prof Owen McIntyre, School of Law, University College Cork

2:00 pm Dr Célia Le Lièvre and Ms Hannah Janknecht, Compliance & Risks:
Greenwashing Regulation and ESG Reporting in Practice

2:30 pm Dr Alicia Mateos Cardenas, School of Biological, Earth and Environmental Sciences, University College Cork:
Legal Regulation of Biodegradability Claims for Plastics

3:00 pm Mr Gregory Jones K.C.B.L. of Francis Taylor Building, Inner Temple, London and the Law Library, Dublin and Mr Mark O'Brien O'Reilly, Francis Taylor Building, Inner Temple, London:
Green-shushing and Greenwash Scrubbing: Legal Environmental Claims and the Financial Sector?

3:30 – 4:00 pm Tea / Coffee (Boole Basement)

Parallel Session 10: Frontiers of Environmental Governance II (Boole 4)

Chair: Ms Finola McCarthy, RDJ LLP Solicitors, Cork

4:00 pm Ms Marie O'Connor and Ms Sarah Byrt, OES-Environmental Licensing Programme, Environmental Protection Agency:
Industrial Emissions Directive: Legislative Changes under the Fit for 55 Package

4:30 pm Dr Rónán Kennedy, Ryan Institute, Whitaker Institute, and School of Law, University of Galway:
Disclosure as a Tool of Administrative Governance: Pollution Release and Transfer Registries (PRTRs)

5:00 pm Ms Maria Cespedes-Davalos, Dr Bernadette Power, Dr Geraldine Ryan, Dr John Eakins, Prof Eleanor Doyle and Dr Ellen O'Connor, Cork University Business School, University College Cork:
The Impact of Environmental Compliance on Company Performance: A Multi-Directional Analysis of Porter's Hypothesis

5:30 pm Mr Kieran Cummins, Solicitor and Environmental Planning Specialist:
Using Ethics Legislation to Promote Regulatory Enforcement for Environmental Protection

Parallel Session 11: Developments in Climate Law II (Boole 3)

Chair: Mr Declan Walsh, School of Law, University College Cork

4:00 pm Prof Catherine Malecki, Université de Rennes II:
The European Roadmap for Resilience Finance: Taking Care of the Planet

4:30 pm Dr Denise McCullagh, MaREI Centre, University College Cork:
*An Evaluation of Climate Adaptation Policy in Britain and Ireland:
What We Can Learn from Our Neighbours*

5:00 pm Dr Thomas Muinzer, Aberdeen University Centre for Energy Law,
University of Aberdeen:
*The Concept of the “Just Energy Transition”: Challenges and
Opportunities*

5:30 pm Ms Alison Hardiman, School of Law, University College Cork:
*The Failure of Environmental Administrative Governance to Provide
for Climate Mitigation*

Parallel Session 12: Emerging Rights of Nature II (Boole 1)

Chair: Dr Ciara Brennan, Environmental Justice Network Ireland (EJNI)

4:00 pm Dr Peter Doran, School of Law, Queen’s University Belfast:
Rights of Nature: A Case of ‘Borderland’ Thinking?

4:20 pm Mr James Orr, Friends of the Earth NI:
*Can a Movement Shaped by the Laws of Nature Support the Creation
of New Laws for Nature?*

4:40 pm Ms Sinéad Mercier, UCD Sutherland School of Law, University
College Dublin:
Rights of Nature and the Just Transition

5:00 pm Caitlin McIlhennon, Environmental Justice Network Ireland (EJNI)
and Environmental & Climate Law MSC (University College Dublin):
*What Would be the Added Value of Embedding the Rights of Nature in
the Irish Constitution?*

5:20 pm Ms V’cenza Cirefice, PhD Candidate, University of Galway:
Ecofeminism, Countermapping and Movements for the Rights of Nature

6:00 pm Closing Remarks (Boole 3)

6:10 pm Conference Reception (Staff Common Room, Quad North Wing)

Generously sponsored by Ronan Daly Jermyn Solicitors



Cost: Conference (including lunch, tea / coffee and conference materials):

Single delegate (early-bird rate – by 31st March 2023): €195

Single delegate (standard rate) €245

Two delegates: €400
(Further reductions available for multiple delegates)

Academics: €150

NGOs: €120

NQ Solicitors / Barristers (less than five years standing): €150

Continuing Professional Development:

8 Hours Group Study CPD

If you require a CPD Certificate please tick [] here or e-mail aguinee@ucc.ie
All CPD Certificates will be forwarded following the Conference.

Registration:

Delegates may register online [here](#). For group bookings (3+ delegates), please contact Conference Secretary directly.

Conference Convenor

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This conference is supported by funding from the EPA.



Conference Programme Overview

8:50 – 9:00			Opening Remarks (Boole 3)		
9:00 – 10:30 (Boole 4)	9:00 – 10:30 (Boole 3)	9:00 – 10:30 (Boole 1)			
<p style="text-align: center;">Climate & Disaster Risk</p> <p>Marie Aronsson-Storrier Susan Breau Lydia Cumiskey Peter Medway</p>	<p style="text-align: center;">Aarhus Convention</p> <p>Alison Hough Sean Whittaker Deirdre McGoldrick</p>	<p style="text-align: center;">Rights of Nature I</p> <p>Julián Suárez Bohórquez Amanda Byer Gabriel Toolan</p>			
10:30 – 11:00			Tea / Coffee (Boole Basement)		
11:00 – 1:00 (Boole 4)	11:00 – 1:00 (Boole 3)	11:00 – 1:00 (Boole 1)			
<p style="text-align: center;">Frontiers in Env Gov I</p> <p>T Stoellinger & M Kass Michael Morris Clíona Kimber Mary Dobbs</p>	<p style="text-align: center;">Climate Law I</p> <p>Andrew Jackson Patrick Parenteau Gillian Lobo Aoife Daly</p>	<p style="text-align: center;">Intl. Env Governance</p> <p>Nick Hepworth Sahara Nankan Kenneth Kang Noreen O’Meara</p>			
1:00 – 2:00			Lunch		
2:00 - 3:30 (Boole 4)	2:00 – 3:30 (Boole 3)	2:00 – 3:30 (Boole 1)			
<p style="text-align: center;">Marine Env Law</p> <p>Anemoon Soete Conor Linehan Eoin Fannon</p>	<p style="text-align: center;">Planning & Dev Law</p> <p>Tom Flynn Amy Strecker Caer Smyth</p>	<p style="text-align: center;">Transnational Env Law</p> <p>Jones & O’Brien O’Reilly Alicia Mateos Cardenas O’Donnell, Le Lièvre & Janknecht</p>			
3:30 – 4:00			Tea / Coffee (Boole Basement)		
4:00 – 6:00 (Boole 4)	4:00 - 6:00 (Boole 3)	4:00 - 6:00 (Boole 1)			
<p style="text-align: center;">Frontiers in Env Gov II</p> <p>M O’Connor & S Byrt Rónán Kennedy Cespedes-Davalos, <i>et al</i> Kieran Cummins</p>	<p style="text-align: center;">Climate Law II</p> <p>Catherine Malecki Denise McCullagh Thomas Muinzer Alison Hardiman</p>	<p style="text-align: center;">Rights of Nature II</p> <p>Peter Doran James Orr Sinéad Mercier Caitlin McIlhennon V’cenza Cirefice</p>			
6:00			Reflections & Concluding Remarks (Boole 3)		
6:00 – 7:30			Conference Reception (Staff Common Room, North Wing)		