



Wisconsin International Law Scholars Conference

“Limits and Potential of Human Rights in Pursuit of Climate Justice”

University of Wisconsin Law School

Overview

Climate change poses unprecedented challenges to the enjoyment of rights. The Human Rights Council has adopted several resolutions on the link between climate change and human rights and the Paris Agreement included a provision on human rights in relation to climate action in 2015. Despite this recognition, many legal issues remain unresolved –extraterritorial dimension of human rights, forced displacement associated with climate change (“climate refugees”), small island states and their people, the loss and damage mechanism, the responsibility of major emitters are just a few issues requiring novel approaches to international law. The objective of the conference is to bring together international legal scholars to discuss high-quality working papers to promote research collaboration and advancement.

Day 1: Saturday, August 15, 2020

Time given here is US Central Standard Time (CST)

- 9:00am **Welcome and introductions**
- Moderator
Julie Vernon
University of Wisconsin Law School
- 9:15am **Keynote**
Ambassador Dessima Williams
Former Ambassador of Grenada to the United Nations
- 9:30am **Paper 1**
“A Proposal for Transnational Litigation Against Climate Change Violations
in Africa”
Oniemola Peter Kayode
University of Ibadan, Nigeria
- Commentator:**
Steph Tai
University of Wisconsin Law School
- 9:50am **Paper 2**
“Indigeneity, Land Rights and Climate Change in India”
Arpitha Upendra Kodiveri
European University Institute, Italy
- Commentator:**
Reynaldo Morales
University of Wisconsin Law School/UW-Madison
- 10:10-10:20am break
- 10:20am **Paper 3**
“The Advent of International Human Rights Law in Climate Change
Litigation”
Sam Varvastian
Cardiff University

Commentator
Sumudu Atapattu
University of Wisconsin Law School

10:40am

Paper 4
“Combating Climate Change in Nigeria: An Appraisal of Constitutional and Legal Frameworks”
Olubisi Friday Oluduro
Obafemi Awolowo University, Ile-Ife, Nigeria

Commentator
Heinz Klug
University of Wisconsin Law School

11:00am

Paper 5
“The Intersection of Human Rights’ cases and Climate Change in Brazil: Why we should care?”
Rafaela Teixeira Sena Neves
Federal University of Pará, Brazil

Commentator:
Alexandra Huneus
University of Wisconsin Law School

11:20am

Concluding remarks
Julie Vernon

Day 2: Friday, August 21, 2020

- 3:00pm **Welcome and introductions**
- Moderator**
 Hannah Tuttle
 University of Wisconsin Law School
- 3:15pm **Paper 6**
 “A Relational Analysis of Enterprises Obligations and Carbon Majors for
 Climate Justice”
 Sara L Seck
 Dalhousie University
- Commentator:**
 Jason Yackee
 University of Wisconsin Law School
- 3:35pm **Paper 7**
 “Territory as a Victim of Colombia’s War”
 Alexandra Huneus
 University of Wisconsin Law School
- Commentator:**
 Richard Monette
 University of Wisconsin Law School
- 4:00pm **Paper 8**
 “Climate and Gender Justice in Sub-Saharan Africa: Emerging Trends Post-
 Paris 2015”
 Kemi Mildred Hughes
 University of Waikato, New Zealand
- Commentator:**
 Lori DiPrete Brown
 UW-Madison
- 4:20pm Concluding remarks
 Hannah Tuttle

Biographies of Presenters, Commentators, and Moderators

Sumudu Atapattu

Sumudu Atapattu is the Director of Research Centers and International Programs at the University of Wisconsin Law School. She is affiliated with UW-Madison's Nelson Institute for Environmental Studies, Global Health Institute and the Center for South Asia, and is the Executive Director of the Human Rights Program. She serves as the Lead Counsel for Human Rights at the Center for International Sustainable Development Law, Canada and is affiliated faculty at the Raoul Wallenberg Institute for Human Rights, Sweden.

Lori DiPrete Brown

Lori DiPrete Brown is the Associate Director for Education and Engagement at the Global Health Institute at University of Wisconsin-Madison where she has been an architect of UW-Madison's global health education programs. She is also the founding director of campus-wide 4W Women and Well-being Initiative. She focuses her scholarship on global health, particularly the health and well-being of women and children in highly vulnerable situations around the world.

Kemi Hughes

Kemi Hughes is a Nigerian doctoral student who is currently carrying out research at the University of Waikato, New Zealand. Her research involves assessment of progress in mitigation and adaptation responses towards the reduction of greenhouse gas emissions in selected countries.

Alexandra Huneus

Alexandra Huneus is Professor of Law and legal Studies at University of Wisconsin-Madison. Her scholarship focuses on human rights law, with emphasis on Latin America. She received her PhD, JD and BA from University of California, Berkeley, and was a post-doc at Stanford University's Center on Development, Democracy and the Rule of Law. In 2017, Professor Huneus was named to serve a ten-year term as Foreign Expert Jurist in the Colombian Jurisdicción para la Paz (JEP), a court created as part of the Colombian peace process. She is Chair of the UW-Madison's Human Rights Program, which she co-founded.

Heinz Klug

Heinz Klug is Evjue-Bascom Professor of Law at the University of Wisconsin Law School and an Honorary Senior Research Associate in the School of Law at the University of the Witwatersrand, Johannesburg, South Africa. Professor Klug taught law at the University of the Witwatersrand in Johannesburg from 1991-1996. He has presented lectures and papers internationally on the South African constitution, land reform, and water law, among other topics. His research interests include: constitutional transitions, constitution-building, human rights, international legal regimes and natural resources.

Arpitha Kodiveri

Arpitha Kodiveri is a doctoral researcher at the European University Institute, Florence, Italy where she studies the intersection of free, prior and informed consent, and business and human rights in India. She was previously a senior research associate at the Ashoka Trust of Research in Ecology and the Environment where her work focused on understanding the conflict of laws in forest areas. Prior to that, she worked as an environmental lawyer with Natural Justice supporting Adivasi communities in their struggle for rights over resources.

Richard Monette

Professor Monette is Professor of Law at University of Wisconsin Law School. He has taught courses in Federal Indian Law and indigenous peoples law for almost thirty years. He has also taught Torts, Property, Water Law, Wisconsin Constitutional Law, and Conflict of Laws. His service work has included drafting entire constitutions or amendments for numerous native nations. Currently he is dabbling in the “food sovereignty” movement. Having grown up in his peoples’ territory and serving as its elected Chairman, he brings a realistic dose of native culture and society to his courses and work.

Reynaldo Morales

Reynaldo Morales was born in Peru, and moved to the United States 20 years ago. He graduated in spring 2020 with a joint PhD from the School of Education and the Nelson Institute for Environmental Studies at UW-Madison. His dissertation was about the shifts in science and environmental research related to the restoration of Indigenous Knowledge Systems and the protection of Indigenous genetic resources. His experience further includes educating and extensive international membership in organizations confronting environmental and conservation issues.

Olubisi Obafemi

Olubisi Obafemi is a senior lecturer at Obafemi Awolowo University, Nigeria and earned an LLM and a PhD. He teaches environmental law and international law, and his research and publications focus on how international law and environmental law intersect.

Peter Oniemola

Peter Kayode Oniemola is a legal practitioner and lecturer in the Department of Commercial and Industrial Law, University of Ibadan, Nigeria. He was a Consultant to the Legal and Regulatory Subcommittee of the Nigerian Oil and Gas Reform Implementation Committee (OGIC) on the Petroleum Industry Bill (PIB). He consults on oil and gas, renewable energy, climate change, electricity law and regulation and power project finance.

Sara Seck

Sara Seck is Associate Professor and Associate Dean for Research at Schulich School of Law, Dalhousie University, Halifax, Canada. She is interested in the relationship between international human rights law, environment, and business law, with a focus on the rights of local and Indigenous communities, and global south perspectives on sustainable development.

Rafaela Sena Neves

Rafaela Neves is a PhD student at the *Universidade Federal Do Para*, Brazil. She was a visiting scholar at Columbia University and the University of Wisconsin law School. Her research focuses on compliance in Human Rights and her research intersects with international law as well as political science. In her dissertation, she explores the dynamic relationship between Latin American courts and the Inter-American Court of Human Rights at the stage of monitoring compliance.

Steph Tai

Steph Tai is Professor of Law at University of Wisconsin Law School. Their scholarly research examines the interactions between environmental and health sciences and administrative law. After graduating from Georgetown, Professor Tai worked as the editor-in-chief of the *International Review for Environmental Strategies*, a publication by the Institute for Global Environmental Strategies in Japan. Professor Tai has also served as a judicial law clerk to the Honorable Ronald Lee Gilman on the U.S. Court of Appeals for the Sixth Circuit. From 2013-2014, they served as a U.S. Supreme Court Fellow in the Federal Judicial Center. Their work has recently included representing amici in numerous federal circuit and Supreme Court cases.

Hannah Tuttle

Hannah Tuttle is a 3L at the University of Wisconsin Law School and a second-year student at the LaFollette School of Public Affairs, where she is pursuing a dual Master's degree in International Public Affairs. She graduated from Colby College with a Global Studies degree in 2015 and worked in the international aid field for several years after finishing college. She serves as the Editor-in-Chief of the Wisconsin International Law Journal for the 2020-21 summer and academic year.

Sam Varvastian

Sam Varvastian is a PhD researcher at the School of Law and Politics at Cardiff University, Wales, working on human rights-based climate change litigation. His professional interests span across two inter-related areas: environmental protection and public health, with key emphasis on large-scale environmental challenges that endanger the lives and livelihoods of communities across the globe, namely climate change and air pollution.

Julie Vernon

Julie Vernon is a 3L at the University of Wisconsin Law School. She graduated from Michigan State University with Bachelor of Arts in Chemistry and Sociology. Her interest in the intersection of science and law blends these disciplines. The past year Julie worked with the Wisconsin Innocence Project as a Clinical Student. Her dedication to the Wisconsin International Journal comes from a deep belief that learning from international perspectives and experiences is imperative for growth both as a person and as a society.

Dessima Williams

Ambassador Dessima Williams is a former UN ambassador for Grenada. She served as Ambassador Extraordinary and Plenipotentiary of Grenada to the United Nations, serving for over four years, three of those concurrently as Chair of the Alliance of Small Island Developing States. In this capacity, she led a 40-island global climate change effort that recorded the high ambition of keeping average global temperatures to 1.5 degrees in the Copenhagen Accord of 2009, which was later included in the 2015 Paris Agreement.

Jason Yackee

Jason Yackee is Professor of Law at University of Wisconsin Law School. His research centers on international investment law, international economic relations, foreign arbitration, and administrative law and politics. He graduated summa cum laude and Phi Beta Kappa from the University of Pittsburgh, earned an M.A. and Ph.D. in political science (International Relations) from the University of North Carolina at Chapel Hill, and earned a J.D., summa cum laude and Order of the Coif, from Duke University School of Law where he was an editor for the Duke Law Journal. He was awarded a Fulbright fellowship to conduct research at the Thammasat University Faculty of Law, in Bangkok, Thailand.