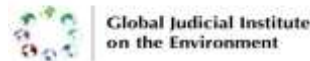




LAHORE HIGH COURT



**ASIA PACIFIC JUDICIAL COLLOQUIUM ON CLIMATE CHANGE:  
USING CONSTITUTIONS TO ADVANCE ENVIRONMENTAL RIGHTS AND  
ACHIEVE CLIMATE JUSTICE**

Pearl Continental Hotel, Lahore, Pakistan, 26-27 February 2018

**PROGRAMME**

**DAY 1**

<b>8:00 – 9:00 Registration of Participants by PJA</b>
<b>INAUGURAL SESSION</b> <b>9:00 – 10:00</b> Moderator: Ms. Irum Ahsan, Senior Counsel, Law and Policy Reform, ADB
<b>Welcome Address</b> by Hon. Mr. Justice Muhammad Yawar Ali, Chief Justice, Lahore High Court, Pakistan (10 minutes)
<b>Opening Remarks</b> by Ms. Elizabeth Mrema, Director of the Law Division, UN Environment (10 minutes)
<b>Opening Remarks</b> by Mr. Sunil Mitra, Deputy Country Director, Pakistan Resident Mission, ADB (10 minutes)

**Video Remarks from the Global Judicial Institute on Environment** by Justice Antonio Benjamin of the National High Court of Brazil, and the Secretary General of the UN Environment International Advisory Council on Environmental Justice (*10 minutes*)

**Environmental and Climate Justice – A Perspective from Pakistan** by Hon. Mr. Justice Syed Mansoor Ali Shah, Judge, Supreme Court of Pakistan

**10:00 – 10:30 Coffee Break and Group Photo**

**SESSION I**

**Evolution and Innovations in Environmental Constitutionalism and Rights**

**10:30 – 12:30**

Moderated by Mr. Andy Raine, Regional Coordinator for Environmental Law and Governance, UN Environment

**Introduction and Overview** by Professor James R. May, Widener University Delaware Law School (*10 minutes*)

**The Interdependence of Human Rights and the Environment** by Professor John Knox, UN Special Rapporteur on Human Rights and the Environment (*15 minutes*)

**The Role of Constitutional Courts in Rendering Environmental Justice** by Hon. Ms. Justice Ayesha Malik, Judge, Lahore High Court, Pakistan (*15 minutes*)

**Judicial Commissions and Climate Justice in Pakistan** by Dr. Parvez Hassan, Chairperson, Climate Change Commission, Lahore, Pakistan (*15 minutes*)

**Climate Justice for Future Generations** by Atty. Antonio Oposa, Jr, Environmental Lawyer, Philippines (*15 minutes*)

**Q&A**

**12:30 – 14:00 Lunch**

**SESSION II**

**Global and Regional Developments in Climate Justice**

**14:00 – 16:00**

Moderated by Professor Erin Daly, Widener University Delaware Law School

**Climate Justice and the Global Pact** by the Rt. Hon. Lord Carnwath of Notting Hill, Justice of the Supreme Court of the United Kingdom (*20 minutes*)

**[Topic TBC]** by Hon. Mr. Justice Tassaduq Jillani, Former Chief Justice, Supreme Court of Pakistan (*20 minutes*)

**Recent Climate Litigation Concerning Environmental Rights** by Hon. Justice Brian Preston, Chief Judge of the Land and Environment Court, NSW, Australia (*20 minutes*)

<p><b>Climate Change and Vulnerable Groups – Global and Regional Developments</b> by Ms. Irum Ahsan, Senior Counsel, Law and Policy Reform, ADB (10 minutes)</p> <p><b>Q&amp;A</b></p>
<p><b><u>16:00 – 16:30</u> Coffee break</b></p>
<p><b><u>SESSION III</u></b> <b>The Convergence of Environmental Constitutionalism, Rights, and Climate Justice</b> <b><u>16:30 – 18:00</u></b> Moderated by Ms. Elizabeth Mrema, Director of the Law Division, UN Environment</p>
<p><b>Climate Change, Environmental Threats, and Human Rights in Pakistan</b> by Justice Ali Baqar Najafi, Judge, Lahore High Court, Pakistan (15 minutes)</p> <p><b>Constitutionalism and Climate Justice</b> by Professor James R. May, Widener University Delaware Law School (10 minutes)</p> <p><b>Climate-induced Migration, Justice, and the Courts</b> by Professor Ben Boer, Wuhan University (10 minutes)</p> <p><b>Intersections of Climate Justice and Human Rights: Lessons from South Asia</b> by Dr. Sumudu Anopama Atapattu, Director of Research Centers and Senior Lecturer at UW Law School, Affiliated Professor with RWI (10 minutes)</p> <p><b>Q&amp;A</b></p>
<p><b><i>Dinner Hosted by the Lahore High Court – International Guests will be transported by the Lahore High Court to the Dinner Venue</i></b> <b><u>19:00-22:00</u></b></p>
<p><b><i>End of Day 1</i></b></p>

## **DAY 2**

<p><b><u>SESSION IV</u></b> <b>Special Issues in Judicial Implementation of Environmental Constitutionalism, Rights and Climate Justice</b> <b><u>9:30-11:30</u></b> Moderated by Professor Denise Antolini, Associate Dean for Academic Affairs, The William S. Richardson School of Law, University of Hawaii; and Deputy Chair, World Commission on Environmental Law</p>
<p><b>Format:</b> One speaker in plenary, followed by the following five breakout groups (i) Red Group; (ii) Green Group; (iii) Yellow Group; (iv) Blue Group; and (v) Orange Group. All groups will report back to plenary. Breakout groups will be led by Moderators and facilitated by the rapporteurs from Pakistan’s organizing team.</p>

**Speaker:** Professor Erin Daly, Widener University Delaware Law School (10 minutes)

*\*45 minutes for breakout groups discussion*

*\*45 minutes reporting back to plenary*

*\*Coffee and tea will be available during breakout groups*

**Discussion Topics for Breakout Sessions**

- *Interpretation and application of environmental constitutional provisions in international, regional, national, and subnational law, with attention to how the various layers interrelate with and complement one another*
- *Direct implementation of constitutional provisions, and other problems of constitutional interpretation*
- *How environmental constitutional provisions can be used for climate justice*

**SESSION V**

**Judges, the Environment, and Access to Justice in Asia Pacific (Panel Discussion)**

**11:30 – 13:00**

Moderated by Professor James R. May, Widener University Delaware Law School

**Panellists:**

Hon. Mr. Justice Jawad Hassan, Judge, Lahore High Court, Pakistan

Hon. Judge Fleur Kingham, President of the Land Court of Queensland, Australia

Ms. Marlene Oliver, Former Environment Commissioner, New Zealand

Hon. Justice YA Tan Sri Dato' Sri Azahar bin Mohamed, Judge, Federal Court of Malaysia

**Topics:**

- *The role of judges in protecting the environment and advancing climate justice, considering separation of powers, environmental rule of law, and the relationship with environmental constitutionalism*
- *The role of citizens, the public, and NGOs in bringing cases to the courts. Also role of other pillars of the justice system*
- *Access to justice issues: costs, standing, statutes of limitations, burdens of proof, interim relief, strategic lawsuits against public participation, access to justice by vulnerable groups (e.g., women, indigenous people) and alternative dispute resolution mechanisms*

**13:00 – 14:00 Lunch**

**SESSION VI**

**Judicial Remedies and Enforcement**

**14:00 – 16:00**

Moderated by Ms. Irum Ahsan, Senior Counsel, Law and Policy Reform, ADB

**Format:** Two speakers in plenary, followed by the following five breakout groups (i) Red Group; (ii) Green Group; (iii) Yellow Group; (iv) Blue Group; and (v) Orange Group. All groups will report back to plenary. Breakout groups will be led by Moderators and facilitated by the rapporteurs from Pakistan’s organizing team.

**Speakers:**

**Evolution of Law and Judicial Remedies in Environmental and Climate Change Matters**  
by Ms. Saima Amin Khawaja, Managing Partner, Progressive Advocates and Legal Consultants, Pakistan (*10 minutes*)

**Climate Litigation: A Suitable Discourse for China’s Green Courts?** by Professor Qin Tianbao, Research Institute of Environmental Law (RIEL), Wuhan University (*10 minutes*)

*\*45 minutes for breakout groups discussion*

*\*45 minutes reporting back to plenary*

**Discussion Topics for Breakout Sessions:**

- *Environmental courts and tribunals: developing special rules for environmental/climate change cases; green benches and specialized tribunals*
- *Remedial orders: judicial responses to a finding of a violation of rights including orders to restore the environment, pay damages, clean up environmental harms, or prevent environmental damage, other innovative orders*
- *Evidentiary issues in environmental and climate change litigation*
- *Remedies and enforcement, including the judicial role in coordinating the execution of judgments with other branches of government*
- *Trends, progress, and challenges in guaranteeing and implementing environmental constitutionalism for climate justice in countries of the region*

**16:00 – 16:30 Coffee break**

**SESSION VII**

**Next Steps, Conclusions, and Recommendations**

**16:30 – 18:00**

Moderated by Professor Erin Daly, Widener University, Delaware Law School

**Speakers:**

Hon. Mr. Justice Syed Mansoor Ali Shah, Judge, Supreme Court of Pakistan (*15 minutes*)

Professor John Knox, UN Special Rapporteur on Human Rights and the Environment (*15 minutes*)

Mr. Andy Raine, Regional Coordinator for Environmental Law and Governance, UN Environment (*15 minutes*)

Ms. Irum Ahsan, Senior Counsel, Law and Policy Reform, ADB (*15 minutes*)

**CLOSING CEREMONY**

**18:00 – 18:30**

Moderated by Mr. Andy Raine, Regional Coordinator for Environmental Law and Governance,  
UN Environment

**Closing Address** by Hon. Mr. Justice Muhammad Anawaarul Haq, Judge, Lahore High Court,  
Pakistan *(10 minutes)*

**Closing Remarks** by Mr. Nils Henrik Rolf Ring, Deputy Director, Raoul Wallenberg Institute *(5  
minutes)*

**Closing Remarks** by Ms. Elizabeth Mrema, Director of the Law Division, UN Environment *(5  
minutes) [TBC]*

***Dinner Hosted by the Lahore High Court– International Guests will be transported by  
the Lahore High Court to the Dinner Venue***

**19:00-22:00**