

CALL FOR PAPERS

Future Generations Litigation and Transformative Changes in Environmental Governance



Joint Workshop of ELTE University and Aarhus University

8-9 June 2023, Budapest

The principle of intergenerational equity has until recently been deemed by courts as stipulating only ethical obligations for States towards future generations. Yet a new wave of future generations litigation, i.e. lawsuits seeking to protect long-term environmental needs of posterity and guarding against future risks, demonstrates that in several jurisdictions domestic courts are now willing to deem intergenerational rights and obligations as binding and judicially enforceable guarantees. These lawsuits are brought in growing numbers in a range of jurisdictions typically in climate change litigation and environmental litigation cases.

This workshop will probe this growing body of case-law with the view to appraise the extent to which intergenerational rights and obligations as enforced in future generations litigation have a transformative impact on fundamental concepts and legal doctrines in fields ranging from constitutional law, through human rights law, to tort law.



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The workshop will start with the keynote address of **Professor Klaus Bosselmann** (University of Auckland) and **Professor Mary Christina Wood** (University of Oregon) will deliver the endnote.

The workshop aims to:

- map the extent and nature of the transformative impact that future generations litigation showcases on key legal concepts and doctrines;
- appraise the resulting changes of a more systemic nature in environmental governance;
- reflect on whether this new wave of litigation is capable of remedying some of the long-standing shortcomings in environmental law and policy-making, including non-inclusivity in representation, unfettered governmental discretion in setting environmental policies and utilizing natural resources, presentism of decision-making processes, state-centred governance, and anthropocentrism.

Submissions are invited to reflect especially, but not exclusively, on the doctrinal as well as practical significance and implications of one of the following issues in the light of future generations case-law:

- empowering new voices and narratives (of non-state actors, e.g. indigenous communities, provinces or cities);
- emergence of new legal subjects and duty-bearers (e.g. rights of nature, rights of future generations, rights of children) and new conceptions of traditional rights and obligations (such as non-discrimination);
- redrawing boundaries between 1) the legal and the political domain, 2) non-justiciable moral and justiciable legal issues, 3) the soft law and the hard law;
- transformative impact on the temporal dimension of environmental governance: e.g. conceptualizing human rights violations on various timescales;
- transformative impact on the spatial dimension of environmental governance: enhancing local perspectives and duties to act to remedy global harmful processes;
- transformative impact on standing and access to justice.



The organizers are aiming to prepare an edited volume from the papers discussed at the workshop with a leading publishing outlet. The workshop will serve to discuss draft contributions with experts from the academia and practice, thereby helping speakers to finalize their papers.

Workshop venue and date

The workshop is jointly convened by ELTE University and Aarhus University and will be held in Budapest (Hungary) on the premises of ELTE Law School between 8-9 June 2023.

Submission deadline

Applicants are requested to submit a max 2-page long CV and a max 500-word abstract relating to one of the relevant topics by 31 January 2023 to the Organizing Committee at the following email address: futuregenerationslitigation@gmail.com

Costs

Selected speakers will be expected to bear their own travel and accommodation costs. If needed, the host university will help selected speakers book rooms with preferential rates in certain hotels near the venue.

The conference dinner will be hosted by ELTE Law School, and coffee breaks will also be provided to participants.

In case of any further questions please do not hesitate to contact the organizing committee via the following email address: futuregenerationslitigation@gmail.com

The Organizing Committee is composed of the following members:

- Dr Katalin Sulyok, Assistant Professor in International Law and Environmental Law, ELTE Law School
- Dr Ole W. Pedersen, Professor of Environmental Law, Aarhus University