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THE GLOBAL NETWORK
FOR HUMAN RIGHTS
AND THE ENVIRONMENT

*8th Frontiers in
Environmental Law
Colloquium*

“Environmental Law and Responsibilities in the Anthropocene”

9-11 February 2022

Conference Programme



Welcome to the 8th Frontiers in Environmental Law Colloquium

9-11 February 2022

Zoom links:

Day 1: <https://macquarie.zoom.us/j/88351083540>

Day 2: <https://macquarie.zoom.us/j/85967266832>

Day 3: <https://macquarie.zoom.us/j/88668357122>

Welcome to the 8th Frontiers in Environmental Law Colloquium

9-11 February 2022

The Centre for Environmental Law, Macquarie University, Australia, the New Zealand Centre for Environmental Law, the University of Auckland and the Global Network for Human Rights and the Environment are delighted to welcome you to 8th Frontiers in Environmental Law Colloquium

Environmental Law and Responsibilities in the Anthropocene

The Anthropocene epoch confirms that humanity is the primary driver of planetary change. The 8th Frontiers Colloquium encourages participants to engage with a possible new frontier for environmental law: to consider what it might mean to shift the approach of environmental law from 'what we can get out of nature' to 'what we can and must do for it.' Papers at this year's Colloquium contemplate how and whether environmental law, broadly defined, sufficiently engages with responsibility in the context of unprecedented global environmental change.

Register Here:

<https://event.mq.edu.au/8th-frontiers-environmental-law/>

Acknowledgements

Organizing Committee

Paul Govind
Deputy Director, Centre for Environmental Law, Macquarie
University

Dr Michelle Lim
Centre for Environmental Law, Macquarie University

Associate Professor Nengye Liu
Director, Centre for Environmental Law, Macquarie University

Professor Caroline Foster
Director, New Zealand Centre for Environmental Law, University of
Auckland

Technical Support

Sarah Vanderfield

Social Media Team

Nischala McDonnell

The Organizers would like to sincerely thank Kylie Perry and Fiona Tan and Leanne Hunter (Director) from the Macquarie University Events Team for their tremendous support.



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OPENING KEYNOTE PANEL ON DECOLONISING ENVIRONMENTAL LAW

8TH FRONTIERS IN ENVIRONMENTAL LAW COLLOQUIUM
WED 9 FEB 2022, 8:00 - 9:45PM (AEDT)




Chair: Associate Professor Nengye Liu

Director/Associate Professor, Centre for Environmental Law,
Macquarie University, Australia.



Dr Jo Anne Rey

Research Fellow for Indigenous and Geography Departments,
Macquarie University, Australia.



Professor Mindy Chen-Wishart

Dean of Law /Professor of the Law of Contract at Oxford University,
& Fellow of Law at Merton College, Oxford, United Kingdom.



Dr Dina Lupin

Director of Global Network for Human Rights and the Environment,
& Post-Doctoral Researcher, University of Vienna, Austria.



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CLOSING PLENARY PANEL ON FUTURE DIRECTIONS FOR RESPONSIBILITY IN ENVIRONMENTAL LAW

8TH FRONTIERS IN ENVIRONMENTAL LAW COLLOQUIUM

FRI 11 FEB 2022, 5:00 - 6:30PM (AEDT)



Chair: Paul Govind

Deputy Director Centre for Environmental Law & Lecturer at
Macquarie Law School, Macquarie University, Australia.



Dr Sophie Chao

Discovery Early Career Research Award Fellow & Lecturer at the
Department of Anthropology, University of Sydney, Australia.



Dr Klaus Bosselmann

Professor of Environmental Law & Founding Director of the New
Zealand Centre for Environmental Law, University of Auckland,
New Zealand.



Associate Professor Peter Burdon

Deputy Dean of the Adelaide Law School & Deputy Dean (Learning
and Teaching) of the Faculty of Professions, University of Adelaide,
Australia.



Colloquium Programme

ANTARCTICA

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8th Frontiers in Environmental Law Colloquium

Environmental Law and Responsibilities in the Anthropocene

Day 1: Wednesday 9 February 2022

Day 1 Zoom link: <https://macquarie.zoom.us/j/88351083540>

Time	Sessions	Speakers
8:45am (AEDT) ----- 10:45am (NZ); 8:15am (Sth Oz); 7:45am (Qld); 5:45am (WA/Msia); 3:15am (India); 1:45am (Mauritius) Tuesday: 10:45pm (CET); 9:45pm (UK)	Colloquium Opening	Welcome to Country – Dr Jo Rey
9am – 11am (AEDT) ----- 11am (NZ); 8:30am (Sth Oz); 8am (Qld); 6am (WA/Msia); 3:30am (India); 2am (Mauritius) Tuesday: 11pm (CET); 10pm (UK)	Session 1: Reconceptualising rights for the benefit of nature Chair: Paul Govind	
	Topic: 'Earth trusteeship and its future contribution to environmental law and planetary governance'	Justin Sobion
	Topic: 'Complementary or contradictory: a collective or individual human rights approach to climate change'	Jolein Holtz
	Topic: 'The necessary resumption of the Action Plan for the Prevention and Control of Deforestation in the Legal Amazon as a way to promote climate justice'	Ana Flávia Corleto and Heline Sivini Ferreira
	Topic: 'A Law for the Anthropocene? Justice and ecological sensitivity in the case of Lagoa da Conceição'	José Rubens Morato Leite, Patryck de Araújo Ayala, Mariana Carvalho Victor Coelho
	Topic: Environmental Conflicts and Ecological Law in Brazil: challenges and issues	Letícia Albuquerque, Isabele B. Barbieri, Gabrielle T. Fagunéz, Marcelo P. Mosmann
11:30am – 1pm (AEDT) ----- 1:30pm (NZ); 11:00am (Sth Oz); 10:30am (Qld); 8:30am (WA/Msia); 6:00am (India); 4:30am (Mauritius); 1am (CET); 12am (UK)	Session 2: Global law and the challenges of the Anthropocene Chair: Ethan Beringen	
	Topic: 'New Norms at the Frontiers of International Environmental Law'	Injy Johnstone
	Topic: 'Generating respect for the laws of war and protecting the natural environment: a Common	Eve Massingham

	Article 1 perspective'	
	Topic: China and International Environmental Law: balancing rights and obligations	Nengye Liu
	Topic: TWAIL and the Duty to Cooperate in International Environmental Law: Stories of Resistance, Discretion and Social Justice'	Adithya Anil Variath
3-4:30pm (AEDT) ----- 5pm (NZ); 2:30pm (Sth Oz); 2pm (Qld); 12pm (WA/Msia); 9:30am (India); 8am (Mauritius); 5 am (CET); 4am (UK)	Session 3: Interrogating anthropocentrism in environmental law Chair: Asanka Amitharansy Edirisinghe	
	Topic: 'Te Ora a Ururoa: Learning from the mahi of kaitiaki'	Marama Muru-Lanning, Keri Mills, Ngahua Harrison, Gerald Lanning, Charmaine Tukiri
	Topic: Why biodiversity offsetting is inimical to the ethic of responsibility in environmental law	Paul Govind
	Topic: 'New Approach to Land and Seascape Stewardship'	Nelson Quinn
	Topic: 'Ecosystems Republics: Reimagining Governance for Sustainability'	Nupur Chowdhury
6-7:30pm (AEDT) ----- 8pm (NZ); 5:30pm (Sth Oz); 5pm (Qld); 3pm (WA/Msia); 12:30pm (India); 11am (Mauritius); 8 am (CET); 7am (UK)	Session 4: Symptoms and solutions in a hyperconnected world Chair: Caroline Foster	
	Topic: 'Pandemic Risk Management using a Multidisciplinary One Health Approach to Governance: An Australian Case Study'	Katie Woolaston et al.
	Topic: 'Assessing the Effectiveness of International Environmental Law in Implementing the United Nations Sustainable Development Goals in the wake of the COVID-19 Pandemic'	Anuja Manjari Devi Issuree, Krishnee Adnarain Appadoo
	Topic: 'Eco-Anxiety and the Law: Harnessing and Triaging for the Future'	Siti Hafsyah Idris & Noor Jannah Nasution
	Topic: 'Responding to the Anthropocene – can international law address global concerns?'	Karen Morrow
8pm – 9:45pm (AEDT) ----- 10pm (NZ); 7:30pm (Sth Oz); 7pm (Qld); 5pm (WA/Msia); 2:30pm (India); 1pm (Mauritius); 10 am (CET); 9am (UK)	Opening Keynote Panel: Decolonising Environmental Law Chair: Associate Professor Nengye Liu, Director, Centre for Environmental Law, Macquarie University Panellists: <ul style="list-style-type: none"> • Dr Jo Anne Rey (Macquarie University) • Professor Mindy Chen-Wishart (Oxford University) • Dr Dina Lupin (Global Network on Human Rights and the Environment (GNHRE)) 	

Day 2: Thursday 10 February 2022

Day 2 Zoom link: <https://macquarie.zoom.us/j/85967266832>

Time	Sessions	Speakers
9 – 10:30am (AEDT) ----- 11am (NZ); 8:30am (Sth Oz); 8am (Qld); 6am (WA/Msia); 3:30am (India); 2am (Mauritius) Wednesday: 11pm (CET); 10pm (UK)	Session 5: Reframing human-nature relationships in environmental law Chair: Alice Bleby	
	Topic: 'A new principle on ecological restoration to restore ecosystems and human-nature relationships in the Anthropocene'	An Cliquet, Anastasia Telesetsky & Afshin Akhtar-Khavari
	Topic: 'Property Rights and Shadowlands'	Nicole Graham
	Topic: 'Ecosystem services in the Anthropocene'	Justine Bell-James
	Topic: 'Multi-species responsibility and responsibility in hyperconnected times'	Michelle Lim
11am-1pm (AEDT) ----- 1pm (NZ); 10:30am (Sth Oz); 10am (Qld); 8am (WA/Msia); 5:30am (India); 4am (Mauritius); 1am (CET); 12am (UK)	Session 6: Law, responsibility and the biodiversity-climate-society nexus Chair: Nengye Liu	
	Topic: 'Taking the law towards net zero – the regulation of negative emission technologies in Australia'	Jan McDonald, Kerryn Brent, Jeff McGee, Phillipa McCormack
	Topic: 'From climate risk governance to corporate climate responsibility: the role of private climate regulation'	Anita Foerster and Michael Spencer
	Topic: 'Not about us but with us: mini-publics and intergenerational climate justice'	Nicky van Dijk
	Topic: 'Can nature-based solutions to climate change catalyse coastal ecosystem conservation? A case study of Indo-Pacific SIDS'	Erika Techera
	Topic: 'Nature-based Solutions as key to strengthen climate-biodiversity nexus under the Anthropocene in the Polar Region?'	Hitomi Kimura
3-4:30pm (AEDT) ----- 5pm (NZ); 2:30pm (Sth Oz); 2pm (Qld); 12pm (WA/Msia); 9:30am (India); 8am (Mauritius); 5 am (CET); 4am (UK)	Session 7: Roundtable – Lawyering and legal education in the Anthropocene Chair: Prue Taylor	
	Topic: 'The professional responsibility of lawyers in the Anthropocene - evolving issues for statutory authorities in environmental protection and Natural resources management'	Jennifer McKay
	Topic: 'Environmental Lawyering in the Anthropocene: How can the climate crisis transform environmental lawyering in India'	Arpitha Kodiveri
	Panellists: Anita Foerster, Phillipa McCormack, Michelle Lim	

Day 3: Friday 11 February 2022

Day 3 Zoom link: <https://macquarie.zoom.us/j/88668357122>

Time	Sessions	Speakers
9 –10.30am (AEDT) ----- 11am (NZ); 8:30am (Sth Oz); 8am (Qld); 6am (WA/Msia); 3:30am (India); 2am (Mauritius) Thursday: 11pm (CET); 10pm (UK)	Session 8: Desirable Futures in the Anthropocene Chair: Michelle Lim	
	Topic: 'Designing Regulatory Scenarios to Promote Carbon Reductions for Large Point Source Polluters'	Bethan Sloan and Zen Makuch
	Topic: 'Collaborative modelling and participatory water governance: design principles and framework for co-production'	Cameron Holley, Juan Castilla-Rho, Darren Sinclair, Carley Bartlett and Rodrigo Rojas,
	Topic: Beyond Sustainability: Regulating Regenerative Economies	Bronwen Morgan
	Topic: 'Biodiversity and bushfires in the (Anthropo)Pyrocene: what can our laws do to facilitate climate adaptation when everything feels like it's falling apart?'	Phillipa McCormack
11am-12:30pm (AEDT) ----- 1pm (NZ); 10:30am (Sth Oz); 10am (Qld); 8am (WA/Msia); 5:30am (India); 4am (Mauritius); 1am (CET); 12am (UK)	Session 9: Oceans in the Anthropocene Chair: Julian Chen Jiliang	
	Topic: 'The Three Eras of Australian Practice on Marine Protected Areas: The Interaction between National and International Law and Policy'	Ethan Beringen, Nengye Liu, Michelle Lim
	Topic: 'Blue Carbon Mitigation Opportunities for Aotearoa'	Madeleine Pears
	Topic: 'Governing marine cloud brightening: challenges and recommendations'	Rose Foster, Nicole Shumway, Pedro Fidelman
	Topic: 'Governing the technologies of the Anthropocene: marine cloud brightening on the Great Barrier Reef'	Jan McDonald, Kerry Brent, Jeff McGee & Manon Simon
3-4:30pm (AEDT) ----- 5pm (NZ); 2:30pm (Sth Oz); 2pm (Qld); 12pm (WA/Msia); 9:30am (India); 8am (Mauritius); 5 am (CET); 4am (UK)	Session 10: Challenging Western constructs of nature in environmental regulation Chair: Peter Davies	
	Topic: 'Access to justice through the Indigenous Navigator Program'	Judith Preston
	Topic: Kaitiakitanga and Mātauranga Māori <i>Kia kāwatawata ki tai, Kia pūangiāngi ki pūaha - Gentle zephyrs caress the seas, Refreshing breezes to cool the harbours</i>	Marama Muru-Lanning, Keri Mills, Ngahua Harrison, Gerald Lanning, Charmaine Tukiri
	Topic: 'Sustainability and Indigeneity'	Trevor Daya-Winterbottom

	Topic: 'Taking the Trails They Left: A Proposal to Revive Eco-Centrism in Sri Lanka'	Asanka Amitharansy Edirisinghe
<p>5pm – 6.30pm (AEDT)</p> <p>-----</p> <p>7pm (NZ); 4:30pm (Sth Oz); 4pm (Qld); 2pm (WA/Msia); 11:30am (India); 10am (Mauritius); 7 am (CET); 6am (UK)</p>	<p>Closing Plenary Panel: “Future Directions for Responsibility in Environmental Law”</p> <p>Chair: Paul Govind, Deputy Director, Centre for Environmental Law, Macquarie University</p> <p>Panellists:</p> <ul style="list-style-type: none"> • Dr Sophie Chao (University of Sydney) • Professor Klaus Bosselmann (University of Auckland) • Associate Professor Peter Burdon (University of Adelaide) 	

Keynote Presenters

Opening Keynote Panel: Decolonising Environmental Law

Dr Jo Rey, Macquarie University



Dr Jo Anne Rey is a Dharug Aboriginal community member, through her Dharug-Randall- lineage

In 2019, Jo completed her doctoral thesis: *Country Tracking Voices: Dharug women's perspectives on presences, places, and practices* at Macquarie University.

Based on her research, in 2018 she was invited to develop a first-year undergraduate unit within the Macquarie University Indigenous Studies department. This local Aboriginal community focus was a first in Australia

.In 2020, Jo became a Research Fellow with Macquarie University's Indigenous and Geography Departments, weaving post-doctoral Dharug research across three Dharug sites: Shaw's Creek Aboriginal site, Blacktown Native Institution and Brown's Waterhole, in the Lane Cove National Park.

In 2021, she and Dharug women collectively, were invited by the NSW Department of Planning, Industry and Environment to lead a Women's Cultural Burn at Brown's Waterhole. This will be historic when undertaken, as it will be the first time since colonisation that a Dharug-led women's cultural burn has been government approved and facilitated.

Professor Mindy Chen-Wishart, Oxford University



Mindy Chen-Wishart is Dean of Law and Professor of the Law of Contract at Oxford University. She is also the Fellow in Law at Merton College.

She holds a fractional professorship at the National University of Singapore and holds or has held visiting professorships at Hong Kong University, the National University of Taiwan, Otago University, Auckland University, Canterbury University, Gottingen University, Thammasat University and Renmin University in Beijing.

She is author of *Contract Law* (7th ed, OUP, 2022), an editor of *Chitty on Contracts* (34th ed), and was a member of the Advisory Group on *A Restatement of the Law of Contract in English and Wales*. Mindy has lectured to the Judicial College of

England and Wales and the Judicial Academy in Taiwan and Hong Kong. She delivered the Fourth Annual Lecture of the *International and Comparative Law Quarterly* as author of the best paper.

Mindy is leading a six-book project on the contract laws of 14 Asian jurisdictions, of which three are published and the fourth in production. She was born in Taiwan and lived in NZ for 21 years.

Dr Dina Lupin, Global Network on Human Rights and the Environment



Dina Lupin is a legal theorist working in feminist, queer and decolonial philosophy. In her current research, she examines the ways in which Indigenous communities are subjected to practices of silencing and epistemic injustice in consultation processes, and in the ways in which these communities resist and subvert oppressive practices.

Dina is the Director of the [Global Network for Human Rights and the Environment](#). She is currently based at the University of Vienna and will be joining the faculty of Southampton Law School in March 2022.

Closing Plenary Panel: Future Directions for Responsibility in Environmental Law

Dr Sophie Chao, University of Sydney



Dr Sophie Chao is Discovery Early Career Research Award (DECRA) Fellow and Lecturer at the Department of Anthropology, University of Sydney. Her research investigates the intersections of Indigeneity, ecology, capitalism, health, and justice in the Pacific.

Sophie is author of *In the Shadow of the Palms: More-Than-Human Becomings in West Papua*, which received the Duke University Press Scholars of Color First Book Award in 2021 and is forthcoming with Duke University Press in July 2022. She is also co-editor of *The Promise of Multispecies Justice* with Eben Kirksey and Karin Bolender, forthcoming with Duke University Press in November 2022. Chao previously worked for the human rights organization Forest Peoples Programme in Indonesia, supporting the rights of forest-dwelling Indigenous peoples to their customary lands, resources, and livelihoods.

For more information about Sophie's research, please visit morethanhumanworlds.com.

Prof Klaus Bosselmann, University of Auckland



Dr Klaus Bosselmann is Professor of Environmental Law and Founding Director of the New Zealand Centre for Environmental Law at the University of Auckland. Among his current leadership roles are Chair of the Ecological Law and Governance Association (ELGA) elgaworld.org, Chair of the Earth Trusteeship Initiative (ETI) earthtrusteeship.world and Co-Chair of the Global Ecological Integrity Group (GEIG) globalecointegrity.org.

Klaus has authored 15 books (with translations into multiple languages) in the areas of international environmental law, eco-constitutionalism and legal theory. For his pioneering work on ecological law and Earth jurisprudence he received numerous awards including the Inaugural Senior Scholarship Prize of the IUCN Academy of Environmental Law and the 2021 Carlowitz Sustainability Award.

Associate Professor Peter Burdon, University of Adelaide



Peter Burdon is Deputy Dean of the Adelaide Law School and Deputy Dean (Learning and Teaching) of the Faculty of Professions.

Peter's research uses interdisciplinary materials from sociology, political science, economics, philosophy, history and environmental studies. Peter is an expert in environmental theory and has written and edited books on Earth Jurisprudence and Earth Democracy. In 2017 he published a book on Hannah Arendt and the trial of Nazi war criminal Adolf Eichmann.

He is currently working on a handbook and monograph on the Anthropocene. Both of which will be published by Routledge in 2022.