



5th OPEC-OPEC Fund Annual Legal Workshop

Responsibility of States regarding Climate Change

Monday 23 October 2023, 9:00 AM
OPEC Secretariat, Vienna

Draft Agenda

9:00 - 9:15 AM	Opening remarks and welcome Turki Althunayan, Chairman of the Legal Defence Team
9:15 - 9:30 AM	Remarks on legal aspects to be discussed Leonardo Sempertegui, General Legal Counsel, OPEC
9:30-11:00 AM	<u>Session 1 – Obligations and Legal Consequences for Climate Change</u> Experts will discuss what state climate change obligations are under international law, specifically related to anthropogenic GHG emissions, and whether state compliance with these rules is to be discussed under a state’s potential liability or responsibility regimes. Discussions also address the idea of damages and harm in the context of absolute liability and their applicability to state climate change obligations. Panelists will further discuss different theories of liability presented in national and regional climate change litigations and how these have helped or could influence rules of international law on climate change. Moderator: Leonardo Sempertegui, General Legal Counsel, OPEC <ol style="list-style-type: none">1. Tullio Scovazzi, Associate member of the Institut de Droit International. Previous Professor of International Law, Universities of Parma, Genoa, Milan & Milano-Bicocca2. Leslie-Ann Duvic-Paoli, Senior Lecturer in Environmental Law, King’s College London, and the Deputy Director of its Centre for Climate Law & Governance3. Oliver Ruppel, Director, Research Center for Climate Law, University of Graz (Austria), Professor of Public and International Law



11:00-11:30 AM	<u>Coffee Break</u>
11:30 - 13:00 PM	<u>Session 2 – Non-treaty Sources for Climate Change Obligations and Legal Consequences</u> <p>In this panel, experts will deliberate on whether there is a customary international law (CIL) or general principles of law basis for climate change obligations and their legal consequences. Determining rules of CIL is an ongoing challenge in international law. Since CIL needs to meet certain criteria in relation to state practice and <i>opinion juris</i>, international tribunals like the ICJ often engage in an extensive analysis about the presence of these requirements. However, should the ICJ deliberate in such analysis and to what extent in its Advisory Opinion? Climate change poses an added layer of complexity in terms of the existence of such rules and whether there is global consensus on them.</p> <p>Moderator: Violet Onyemenam, General Counsel, OPEC Fund</p> <ol style="list-style-type: none">1. Stefan Talmon, Professor and Chair of Public Law, International and European Law, University of Bonn2. Alexander Zahar, Professor of International Law at the China-ASEAN Legal Research Center, in Chongqing, China3. Frédéric Sourgens, Chair of Energy Law, Tulane University Law School’s Innovative Center for Energy Law
13:00-14:00 PM	<u>Lunch</u>
14:00 - 15:30 PM	<u>Session 3 – Are Climate Change Obligations Human Rights Obligations?</u> <p>Whilst several international agreements have specifically addressed climate change, including the Paris Agreement and the UNFCCC, obligations on states regarding human rights is a more complex matter. This session will allow experts to address how applicable current human rights obligations are to climate change, and whether there is a need for more precise rules. This topic also includes discussions about domestic and regional litigations pertaining to climate change premised on human rights.</p> <p>Moderator: Nasser Alreshaid, Legal Advisor, International Affairs, OPEC</p>



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	<ol style="list-style-type: none">1. Maria Antonia Tigre, Director of Global Climate Change Litigation at the Sabin Center, Columbia Law School2. Rebecca McMnamin, Department of European, International and Comparative Law, University of Vienna3. Benoit Mayer, Associate Professor at the Faculty of Law of the Chinese University of Hong Kong (CUHK LAW)
15:30 - 16:00 PM	Closing Remarks