

## Programme



Center for International  
Law and Policy  
東北大学国際法政策センター



Symposium on the 100<sup>th</sup> Anniversary of Judge Shigeru Oda  
“New Trends and Challenges in International Dispute Settlement and Compliance”

Centre for International Law and Policy (CILP), Tohoku University

Date: 24-26 October 2024

Venue: Tohoku University, Kawauchi Campus,  
Sendai, Japan

Day 1 (24 October)

◆ **Opening and Welcoming Remarks (9:50-10:10)**

**Toshiya Ueki** (Executive Vice President of Tohoku University / Director of the Center for International Law and Policy, Tohoku University)

◆ **Session 1: Climate Change before International Courts and Tribunals (10:10-17:15)**

**Concept**

The climate change has long been a topic for international environmental lawyers and negotiators of multilateral environmental treaties. Against this backdrop, the stage of discussion has moved to international courts and tribunals, such as ECtHR, ITLOS, the ICJ, and AmCtHR. It is undeniable that each finding may have implications specific to each area of law, due to the restricted jurisdiction of each forum. However, there seems to be a tendency to integrate several areas of substantive law, as was suggested by the ITLOS Advisory Opinion. It is now required to analyse the interactive impacts which may be found in a variety of findings of different forum, which may amount to the international jurisprudence on the climate change law. It may also be necessary to analyse the prospective cases in the contentious procedure of international courts and tribunals.

Part 1 (10:15-11:45)

- |             |  |
|-------------|--|
| 10:15-10:45 | <b>Yukari Takamura</b> (University of Tokyo)<br><i>“Climate litigation and Interplay of climate law and human rights law”</i>                            |
| 10:45-11:15 | <b>Kentaro Nishimoto</b> (Tohoku University)<br><i>“The role of "external norms" in determining the scope of due diligence obligations under UNCLOS”</i> |
| 11:15-11:45 | Discussion   |

Lunchtime Break (11:45-13:15)

Part 2 (13:15-15:30)

- |             |   |
|-------------|---|
| 13:15-13:45 | <b>Malgosia Fitzmaurice</b> (Queen Mary University of London) |
|-------------|---|

*“Climate Change Litigation and the Principle of Systemic Integration as Codified in Article 31(3)(c) of the VCLT”*

13:45-14:15 **Panos Merkouris** (University of Groningen)  
*“The importance of evolutive interpretation in climate change litigation.”*

14:15-14:45 **Agnes Rydberg** (Sheffield University)  
*“General Principles of International Environmental Law in Climate Change Regulation?”*

14:45-15:30 Discussion

Part 3 (15:45-17:15)

15:45-16:15 **Juliette McIntyre** (University of South Australia)  
*“Can Court Save Us? Strategic Litigation and Climate Change”*

16:15-16:45 **Dai Tamada** (Kyoto University)  
*“Climate Change and ITLOS Provisional Measures”*

16:45-17:15 Discussion

Dinner Reception (18:30-20:00)

Day 2 (25 October)

◆ **Session 2: Value Adjustments of International Law in Dispute Settlement and Compliance Mechanism (9:20-12:10)**

**Concept**

In today's international society, diverse values have emerged through treaties in various fields, such as free economic activities, environmental protection, human rights protection, and international security. These diverse values often contain mutually contradicting and conflicting elements. Therefore, there is a pressing need to harmonize these values and analyze how each treaty regime adjusts its own values with various other societal values. From this perspective, this session focuses on forums within treaty regimes, including dispute settlement and compliance mechanisms, and examines how value adjustments are made there. Speakers will explore the value adjustment issues through the specific forums within the specific regimes, such as international criminal law, international trade law, international environmental law, and international human rights law.

Part 1: Special Lecture (9:20-10:10)

- |            |   |
|------------|---|
| 9:20-9:50  | <b>Kuniko Ozaki</b> (Tohoku University)<br><i>“International Criminal Law – a compliance mechanism or substantive law?”</i> |
| 9:50-10:10 | Discussion  |

Part 2 (10:10-12:10)

- |             |  |
|-------------|--|
| 10:10-10:35 | <b>Magdalena Słok-Wódkowska</b> (University of Warsaw)<br><i>“Sustainable Development in Regional Trade Agreements: A Chance for Change?”</i>                                |
| 10:35-11:00 | <b>Tomoaki Nishimura</b> (Ritsumeikan University)<br><i>“Current Developments and Value Adjustments in Multilateral Environmental Agreements”</i>                            |
| 11:00-11:25 | <b>Kie Abe</b> (Kobe University)<br><i>“Incorporation of the Principles of International Environmental Law into Human Rights Treaties: Accelerant and Hindrance Factors”</i> |
| 11:25-12:10 | Discussion   |

Lunchtime Break (12:10-13:40)

- ◆ **Short Tour: Visiting Judge Oda's Associated Sites (13:40-16:40)**

Dinner Reception: (18:30-20:00)

Day 3 (26 October)

- ◆ **Excursion (9:00-13:00)**