



## LAW, FRAGILE ECOSYSTEMS, INDIGENOUS PEOPLES, AND NATURAL RESOURCES

**Date:** 7-8 March 2016

**Venue:** Sala Europa; Villa Schifanoia, European University Institute (Via Boccaccio 121, Firenze)

This workshop will be combining cross-sectorial research fields at three institutions:

- *K.G. Jebsen Centre for the Law of the Sea (JCLOS)*- UiT The Arctic University of Norway (contact persons: Claudia Cinelli and Christin Skjervold);
- *Faculty of Law – University of Lapland (Finland)* (contact persons: Sanna Koulu and Rosa Ballardini);
- *Department of Law – European University Institute* (contact persons: Martin Scheinin and Claudia de Concini)

### PROGRAM

#### Monday, March 7, 2016

08:30 – 09:00 **Registration and Refreshment**

09:00 – 09.15 **Welcome and Introduction** by *Martin Scheinin (EUI)*

#### **Session 1 *Legal aspects of the protection of fragile ecosystems (9.15 – 12.30)***

Session 1 examines different types of environmental regulatory frameworks of marine and terrestrial ecosystems at international, European and national levels, their normative structure, content and effectiveness as legal governance tool(s), while taking into account the need to balance environmental, social and economic considerations. The session deals with specific fragile environments, including Polar Regions, within an integrated management approach that promotes conservation and sustainable use in an equitable way. This session is suitable for inter-sectorial research with terrestrial and marine dimensions, as well as for more abstract papers on assessment of the different legal regimes for the protection of fragile ecosystems.

*Chair: Martin Scheinin*

- ✓ Associate Professor Ingvild Jakobsen (JCLOS-UiT), *The development of a framework for a network of MPAs under the Arctic Council*
- ✓ Professor Alexander Etkind (EUI), *Russia as a Super-Extractive State*



- ✓ Associate Professor Douglas Rogers (Yale University), *Russia as a Super-Extractive State: the Case of Siberian Oil*

#### ***Discussion and Coffee break***

- ✓ PhD researcher Emma Nyhan (EUI): *The Quest for Indigenoussness and Fragile Ecosystems: the Case of the Bedouin of the Negev*
- ✓ PhD researcher Alina Lehtonen (Ulapland): *Resource efficiency in relation to human rights and the protection of natural environments*

### **Session 2 Cooperation, Common Concerns and Natural Resources (14.00–17.30)**

This session deals with the analysis of the peaceful management and utilization of natural resources which is a universal aspiration, but the principles and norms governing international cooperation over natural resources are often just as contested as the ownership of the resource itself. It also look at the resources of common concern of humanity and current debate whether they connote communal ownership or merely joint management of global commons. The session explores the possibility of further developments of the emergent practices, norms and principles applicable to transboundary natural resources (i.e. freshwater; petroleum and leaving resources) as well as resources located beyond national jurisdiction (i.e. biodiversity in marine areas beyond national jurisdiction, Antarctic marine resources, and mineral resources in outer deep seas, and the protection of the atmosphere) through a combination of pragmatic and theoretical perspectives.

**Chair-** Professor Tore Henriksen (JCLOS-UiT)

- ✓ Professor Erik Molenaar (Netherlands Institute of Law of the Sea (Utrecht University) and JCLOS-UiT), – *Participation and Allocation in Regional Fisheries Management Organizations*
- ✓ Marie Curie Fellow Claudia Cinelli (JCLOS and visitor at EUI) – *The EU approach to the environmental protection of ‘resources of common concerns’*

#### ***Discussion and coffee break***

- ✓ PhD researcher Anniina Oksanen (Ulapland) *Regulatory frameworks in the mining industry*
- ✓ PhD researcher Natalia Ermolina (JCLOS-UiT), *Cooperation in respect of transboundary petroleum resources*



- ✓ PhD researcher Lia Heasman (Helsinki, visitor at EUI) *Business and human rights*

## Final Discussion

### *Dinner for chairs and all speakers*

**Tuesday, March 8, 2016**

09:00 **Welcome**

### **Session 3 Governance of Indigenous People's Rights in the International Framework (9.00-12.30)**

Session 3 examines the intersections between land and natural resource use, indigenous people's rights, and international treaty obligations. Specific topics might deal also with traditional knowledge or access to genetic resources. This session is suitable for pragmatic legal research with human rights dimensions, as well for more abstract papers on the role of human rights provisions in governance.

Chair: Professor Juha Karhu (Ulapland)

- ✓ University Lecturer Sanna Koulu (Ulapland), *Child Welfare and Minority Groups – human rights concerns*
- ✓ Dr. Rosa Maria Ballardini (Ulapland and Hanken School of Economics) and Dr. Dhanay Cadillo Chandler (Hanken School of Economics), *When TK met IP: the Melancholy Romance of Intellectual Property Rights and Intangible Cultural Heritage*

### **Discussion and Coffee break**

- ✓ PhD researcher Anne Nuorgam (Ulapland), *The mapping of the traditional fishing rights of Saami in the Deatnu Water System*
- ✓ PhD researcher Piia Nuorgam (Ulapland) *Misuse of the Saami Dress - Discrimination?*
- ✓ PhD researcher Kinanya Pijl (EUI): *Land-use-change, environmental harm and human rights violations in Colombia and Brazil*



**Afternoon Session (14.00-18.00)** - incorporates Prof. Scheinin's PhD seminar (15.00-17.00)

- ✓ Associate Professor Matthias Åhren (JCLOS-UiT) *The Public Domain and Indigenous Traditional Knowledge and Traditional Cultural Expressions – Terra Nullius revisited?*
- ✓ PhD researcher Endelew Lijalem Enyew (JCLOS-UiT), *The Right to Permanent Sovereignty over Natural Resources (PSNR) and Its Application for Indigenous Peoples*

#### ***Discussion and Coffee break***

- ✓ Associate Professor Başak Çalı (Koç University), *Comparative Interpretive Method in Human Rights Law*
- ✓ Professor Martin Scheinin (EUI), *Comparative Interpretive Method in Human Rights Law: the Case of Indigenous Peoples' Rights*
- ✓ PhD researcher Pilvi Rämä (EUI), *Comparative Interpretive Method: the case of conflicts of conscience at work*

#### **Panel Discussion and Closing Remarks**