



JUSTRAC

JUSTICE SECTOR TRAINING, RESEARCH
& COORDINATION PROGRAM

RULE OF LAW AND THE ENVIRONMENT: RIGHTS, RESOURCES, AND GOVERNANCE

Tuesday, January 19, 2016

A Justice Sector Training, Research and Coordination (JusTRAC) Symposium
The Rule of Law Collaborative at the University of South Carolina
In coordination with the Woodrow Wilson International Center for Scholars



Wilson Center, Main Auditorium
Ronald Reagan Building and International Trade Center
One Woodrow Wilson Plaza
1300 Pennsylvania Ave. NW
Washington, DC 20004-3027



JusTRAC is a cooperative agreement between The Rule of Law Collaborative at USC & the Bureau of International Narcotics and Law Enforcement, Department of State

Summary

This symposium will address rule of law issues as they relate to the environment. Discussion will focus on how rule of law plays a role in environmental harm and resource instability and how environment concerns and resource scarcity in turn create rule of law problems. The symposium will bring together leading figures from key U.S. Government agencies, multilateral organizations, policy groups, non-governmental organizations and academia to consider the core issues as well as strategies and efforts to address rule of law challenges in the context of the environment.

Program

8:45 – 9:15 **Registration and Light Breakfast**

9:15 – 9:25 **Welcoming Remarks and Symposium Objectives**

Bob Gifford

Director, INL/CAP, Department of State

Joel Samuels

Director, Rule of Law Collaborative, University of South Carolina

9:25 – 10:10 **Opening Keynote Session: The Intersection of Rule of Law and the Environment**

John Cruden

Assistant Attorney General, Environment and Natural Resources Division, Department of Justice

Roger-Mark De Souza, Discussant

Director, Population, Environmental Security, and Resilience, Woodrow Wilson Center



10:10 – 11:25 **Session 2: Rule of Law Challenges in the Context of Land and Water**

Josh Eagle, Moderator

Solomon Blatt Professor of Law, University of South Carolina

Charles E. Di Leva

Chief Counsel, Environmental and International Law Unit, The World Bank

Chris Jochnick

President and CEO, Landesa

Elisa Scalise

Director & Co-Founder, Resource Equity

This session will consider rule of law challenges surrounding land and water rights. Speakers will discuss issues such as property and inheritance rights, as well as approaches taken by the World Bank to work with host governments on these issues. Speakers also will address how rule of law challenges in these areas affect the rights of women and the rights of indigenous peoples.

11:25 – 11:35 **Break**

11:35 – 1:10 **Session 3: Rule of Law and Resource Depletion**

Will Pomeranz, Moderator

Deputy Director, Kennan Institute

Shelley Gardner

Illegal Logging Program Coordinator, USDA Forest Service, International Programs

Daniel Schaeffer

Ending Illegal Fishing Project, The Pew Charitable Trusts (former U.S. Coast Guard)

Nitin Sekar

AAAS Science-Policy Fellow, USAID

Thomas W. Swegle

Senior Counsel, Law and Policy Section, Environment and Natural Resources Division, Department of Justice

This session will focus on the relationship between rule of law and resource depletion. Building on the discussion from the previous session, speakers will focus on issues of resource access, corruption in the environmental sector, participation in the resource policymaking process, and indigenous rights.



1:15 – 2:15 **Lunch and Distinguished Remarks**

Ian Urbina

Senior Investigative Reporter, New York Times

Over lunch, Ian Urbina will discuss the goals, tactics and findings of his acclaimed series, *The Outlaw Ocean*, about lawlessness on the high seas.

2:15 – 4:00 **Session 4: Environmental Governance and the Rule of Law**

Nathan Richardson, Moderator

Assistant Professor, University of South Carolina School of Law

Patricia Beneke

Regional Director for North America, United Nations Environment Programme

Allen Blackman

Senior Fellow, Resources for the Future

Engobo Emeseh

Senior Lecturer, Department of Law and Criminology, Aberystwyth University

Ethan Shenkman

Deputy General Counsel, Environmental Protection Agency

Environmental governance cuts across national boundaries and demonstrates the impact that rule of law shortcomings in one country can have beyond that country's borders. This session will explore different components of environmental governance to consider both how rule of law deficiencies can lead to environmental harm and also how environmental harm in turn places pressures on states that can lead those states to overlook the rule of law in other ways.

4:00 – 4:30 **Closing Session**

John Pendergrass

Acting Vice President, Research & Programs, Environmental Law Institute

