

4.8 Strengthening Climate Cooperation, Compliance & Coherence

Summary

Project Leader(s)

Janda, Richard

This project, "Strengthening Climate Cooperation, Compliance & Coherence" will conduct a legal and policy analysis of the impacts of climate change in the Canadian Arctic by studying the implications of a changing climate in governance and interactions with Inuit Land-claims organizations; environmental protection and human rights; and international sovereignty and diplomacy. It will develop, debate and disseminate legal and policy knowledge needed to formulate adaptation strategies and national and international policies to address the impacts and opportunities of climate change and globalization in the Arctic; and build new partnerships and capacity between national and international legal researchers, and Northern researchers, organisations and communities, especially from indigenous peoples and scientific communities, working on law and policy issues related to climate change and the Arctic. The project focuses on three streams related to climate change law and policy: - Cooperation: Analysis of intersections between global and domestic climate regimes, and other international regimes (environmental protection, human rights and international economic investment law), as these relate to indigenous peoples concerns in the Arctic. - Coherence: Survey of recent developments in land tenure law within Canada and around the world, with a focus on identifying examples of innovative new governance practices, and identifying key legal and policy priorities of relevance to Inuit Land-Claims organizations and agreements; and - Compliance: Analysis of international sovereignty and diplomacy issues related to international climate law and policy, and how interpretation of key terms and doctrines could address the implications of climate change for vulnerable regions such as the North. As the impact of climate change will be most acute in the Northern Regions of Canada, the project will contribute to the development and dissemination of the knowledge needed to formulate adaptation strategies and national policies to help Canadians, and more specifically northern aboriginal communities, face the impacts and opportunities of climate change and globalization in the Arctic. In Phase I, the CISDL, McGill University and the University of Montreal, with partners, will host an International Law Symposium from Dec 02 – 04 on Sustainable Developments in Law and Policy on Climate Change in Montreal during the COP 11/MOP 1 Meeting, a special Workshop on Law and Policy Implications of a Changing Climate for Northern Communities with ArcticNet experts and speakers, and will link in with activities organised around 'Arctic Day' (Dec 06, 2005) in Montreal at the COP 11 /MOP 1 and parallel events. In Phase II, the CISDL and partners will conduct consultations, then research, write and review 6 – 10 working papers on key topics in climate law and policy, and will develop an on-line, interactive manual on law and policy issues related to climate change in Canada's North. In Phase III, the CISDL and partners will organise a National Seminar on Arctic Climate Law and Policy, engaging young people and students, as well as learned law and scientific experts and aboriginal organizations, in discussions, debates and peer review of the working papers, before publishing them. In developing participatory research and dialogue in this area, the CISDL aims at increasing presently limited knowledge in this rapidly emerging field. Increased knowledge and awareness will contribute to the development of better focused legal and policy strategies for coping with the impact of global warming and developing an adequate socio-economic response. It will provide practical, useful legal research and advice for the development of practical legislations and regulations for Canada's North by the northern inhabitants. Please see the CISDL Arctic Climate Law Project web-site at <http://www.cisdl.org/arctic/> for more information.

People

Network Investigators

Chan, Laurie (University of Northern British Columbia)

Janda, Richard (McGill University)

Collaborators & Research Associates

Gehring, Markus (University of Cambridge)

Koutouki, Konstantia (Université de Montréal)
Lyons, Natasha (University of Calgary)
Newcombe, Andrew (University of Victoria)
Rajamani, Lavanya (University of Cambridge)
Scott, Dayna (York University)
Streck, Charlotte (McGill University)
Trudeau, Helene (Université de Montréal)

PhD Students

Hohmann, Jessie (Centre for International Sustainable Development Law)
Prabhu, Maya (University of Toronto)

Masters Students

Ochman, Patricia (University of Lapland - Arctic Centre)
Price, Kristin

Honours Undergraduate Students

Destin, Lainy (McGill University)
Kessar, Karina (McGill University)
Ross-Jones, Jennifer (McGill University)
Stockwell, Claire (McGill University)

Project Staff

Cordonier Segger, Marie-Claire (Centre for International Sustainable Development Law)
Cromar, Brooke (McGill University)

Partners

McGill University
University of Victoria
Climate Focus
York University
Government of Quebec
Université de Montréal
Centre for International Sustainable Development Law

Publications

Articles Published in Refereed Publications

Janda, R., 2006, Why Does Form Matter: The Hybrid Governance Structure of Makivik Corporation, Vermont Law Review, Vol. 20, 785-822, Published

Gehring, M., 2007, Le changement climatique, le droit et la subsidiarité: Les avantages et les obstacles juridiques pour le mis-en-œuvre des accords contre le changement climatique dans les systèmes fédéraux, McGill International Journal of Sustainable Development Law and Policy, 1, Submitted

Janda, R., 2007, Nouvelles perspectives de gouvernance économique : éléments de synthèse , Gouvernance autochtone : aspects juridiques, économiques et sociaux , 93-103, Published

Janda, R., 2007, La gouvernance hybride, Gouvernance autochtone : aspects juridiques, économiques et sociaux , 157-167, Published

Janda, R., 2007, Synthèse de la gouvernance politique et économique, Gouvernance autochtone : aspects juridiques, économiques et sociaux , 1, Published

Other Refereed Contributions

Janda, R., 2006, Synthèse de la recherche sur la gouvernance économique, Colloque sur Autochtonie et Gouvernance, 1, Published

Non-Refereed Contributions

Janda, R., 2006, Strengthening Climate Cooperation, Compliance & Cohesion, 2006 ArcticNet Annual Conference Proceedings, 1, Published

Hohmann, J., 2007, Igloo as Icon: A Human Rights Approach to Climate Change for the Inuit? , 2007 Law and Society Conference, Berlin, Germany, 1, Published

Janda, R., 2007, Arctic Canaries: the Symbolic Politics of Climate Change for the Inuit, SSHRC Aboriginal Governance Network Seminar, May 29, 2007, 1, Published

Koutouki, K., 2007, Inuit Perceptions of the Ability of Land Claims Agreements to Aid Adaptation to Climate Change, 2007 ArcticNet Annual Conference Proceedings, 24, Published

Specialized Publications

Scott, D., Cordonier Segger, M.C., and Janda, R., 2006, Draft Legal Research Strategy for ArcticNet Northern Climate Law Project, 2005 Climate Law Symposium Conference Proceedings, 25, Published

Streck, C., 2006, Sustainable Development Law on Climate Change" Law Training Course , 2006 United Nations Framework Convention on Climate Change Conference of the Parties, 1, Published

Streck, C., 2006, Sustainable Development Law on Climate Change: Emerging Legal Regimes & Mechanisms, 2006 CISDL Side Event at the United Nations Framework Convention on Climate Change Conference of the Parties, 1, Published

Lainy, D., 2007, Notes from Perspectives of Northern Aboriginal Communities on Climate Change, and Governance Responses Workshop, 2007 Workshop, 1, Published

Scott, D., 2007, Legal Strategies for Climate Change Adaptation for Vulnerable Communities, 2007 Learning Course Compiled and Taught by D. Scott, 1, Published