



DAAD

U N I K A S S E L
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JOINT TURKISH-GERMAN SEMINAR:

“Environmental Justice in Turkey and Germany: Concept, Issues at Law and Developments in Legal Policy”

October 20th to October 25th, 2016 in Berlin

Accession negotiations with Turkey to join in the European Union already began in 2005. In 2009 the negotiations about the Environment Chapter began and have not yet been closed. Otherwise, the negotiation chapters “Judiciary and Fundamental Rights” as well as “Justice, Freedom and Security” have not yet been opened throughout the 11-years-accession negotiations.

The legal concept of Environmental Justice is mostly defined as the fair treatment - nondiscrimination and equal treatment - and significant involvement of all people regardless of “race”, gender, color, national origin or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Against this background the Joint Turkish-German Seminar in Berlin will illuminate current legal questions linked to the concept of Environmental Justice, in order to reflect on the current status quo of the situation in Turkey, Germany and the EU and to reflect on appropriate measures, strategies and instruments to push on the establishment of Environmental Justice on EU level and national level.

The seminar lectures are to be linked to the main theme of Environmental Justice. This connection will be made clear in all lectures.

October, 20th: Opening Session: Environmental Justice – Background of the Concept

Place: Hochschule für Wirtschaft und Recht Berlin, Campus Schöneberg, Badensche Straße 52, 10825 Berlin, Haus A, Raum A 1.32

9.45 a.m.: Arrival at the Seminar Room

10.00 a.m.: Welcome and Introduction – *Prof. Dr. Silke Laskowski, Kassel University*

10.15 a.m.: “The legal concept of ‘Environmental Justice’ - historical background within US-American Law and current meaning” – *Dr. Carola Glinski, Copenhagen University*



10.45 a.m.: “Links between Human Rights and Environmental Issues: The Effects of Climate Change” – *Dr. Verda Neslihan Akiin, Istanbul University*

11.15 a.m.: “Highly discussed project in Germany: Weser Depth Increase” – *Mr. Peter Zickenheiner, Kassel University*

11.30 a.m.: Discussion

12.15 a.m.: Lunch Break

Subtheme: Environmental Justice and its relations in Investment Law

1.15 p.m.: “Environmental Issues in International Investment Law” – *Ms. Miray Azaklı Köse, Istanbul University*

1.45 p.m.: “Environmental Protection in Turkish Modal BIT (Bilateral Investment Treaty)” – *Ms. Melis Avşar, Istanbul University*

2.15 p.m.: “Conflicts between environmental and investment obligations of a State: Availability of a possible solution under Article 90/5 of Turkish Constitution” – *Dr. Enver Arıkoğlu, Istanbul University*

2.45 p.m.: Discussion

3.30 p.m.: Conclusion – *Prof. Dr. Silke Laskowski, Kassel University*

3.45 p.m.: END

October, 21st: Particular Legal Questions from an International and European Perspective

Place: Hochschule für Wirtschaft und Recht Berlin, Campus Schöneberg, Badensche Straße 52, 10825 Berlin, Haus A, Raum A 1.32

9.45 a.m.: Arrival at the Seminar Room

10.00 a.m.: “New perspectives? - The UN Framework Convention on Climate Change after the adoption of the Paris Agreement” – *Ms. Valerie Muguoh Chiatoh, Istanbul University*

10.30 a.m.: “New answers? – Paris Climate Change Agreement – What does it mean for Turkey?” – *Dr. Ali Kerem Kayhan, Yalova University*

11.00 a.m.: Discussion

11.30 a.m.: **Guest Lecture:** “Complaint of Mr. Saúl Luciano Lliuya (Peru) ./ RWE, Landgericht Essen (Private Law District Court)” – *Mr. Noah Walker-Crawford, Germanwatch (www.germanwatch.org)*



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12.30 a.m.: Discussion

12.45 a.m.: Lunch Break

1.45 p.m.: “Environmental Justice and the Human Right to water and sanitary supply”
– *Mr. Mert Taşkın, Istanbul University and*
– *Ms. Eleonora Inconis and Mr. Riccardo Montaldo, Kassel University*

2.45 p.m.: “Environmental Justice and Third Generation Rights: The Human Right to a healthy environment” – *Ms. Sida Özler, Koç University*

3.15 p.m.: Discussion – *Moderation: Prof. Dr. Peter Rott, Kassel University*

4.00 p.m.: Conclusion

4.15 p.m.: END

October, 22nd and 23rd: Weekend, no seminar days – cultural programme

October, 24th: Particular Legal Questions from German and Turkish Perspective

Place: Hochschule für Wirtschaft und Recht Berlin, Campus Schöneberg, Badensche Straße 52, 10825 Berlin, Haus B, Raum B 3.01

9.45 a.m.: Arrival at the Seminar Room

10.00 a.m.: “The implementation of EU Environmental Law – status and new developments in Turkish Law” – *Ms. Beyza Ölçer, Istanbul University*

10.30 a.m.: “Focus on water protection in Turkey: Implementation status of the EU Water Framework Directive and upcoming legal challenges in Turkey” – *Dr. Elif Başkaracaoğlu, Istanbul University*

11.00 a.m.: “New techniques? – Fracking: Legal questions and legislative development” – *Ass. Jur. Alwin Markus, Kassel University*

11.30 a.m.: Discussion

12.15 a.m.: Lunch Break

1.15 p.m.: “Conservation of Wild Fauna within EU” – *Ass. Prof. Dr. Galip Engin Şimşek, Istanbul University*

1.45 p.m.: “Focus on the implementation of the EEC Directive on the conservation of natural habitats and of wild fauna and flora and on the implementation of the EU Directive on the conservation of wild birds – new developments in Turkish law” – *Ms. Başak Yalman, Istanbul University*



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2.15 p.m.: Focus on economic and climate change in Turkey: Environmental Impacts of Hydroelectric Power Plants”– *Ms. Ceren Ertürk and Ms. Ceren Karagözoğlu, Istanbul University*

2.45 p.m.: Discussion

3.15 p.m.: **Guest Lecture:** "German NGOs struggling for sustainable development - Current strategies" – *Mr. Christian Wilmsen, Head of Division South America (off duty)/ MinRat a.D., Federal Ministry of Economic Cooperation and Development (off duty)*

3.30 p.m.: Conclusion

3.45 p.m.: END

October, 25th: Legal Policy Developments in International, European and National Law

Place: Hochschule für Wirtschaft und Recht Berlin, Campus Schöneberg, Badensche Straße 52, 10825 Berlin, Haus B, Raum B 4.03

9.45 a.m.: Arrival at the Seminar Room

10.00 a.m.: “The European Convention on Human Rights – Link to more Environmental Justice in Europe?” – *Ass. iur. Marie-Luise Faßhauer, Kassel University*

10.30 a.m.: “The Turkish Constitution in connection with the ECHR – Link to more Environmental Justice?” – *Mr. İbrahim Canberk Değerliyurt, Istanbul University*

11.00 a.m.: “Comparison of Rome II Regulation and Turkish Code of Private International and Procedural Law in respect to Applicable Law to the Conflicts arising from Environmental Damage” – *Ms. Rumeysa Partalçı, Istanbul University*

11.30 a.m.: Discussion

12:15 a.m.: Lunch Break

1.45 p.m.: “Draft Convention on the International Status of Environmentally-Displaced Persons – *Prof. Dr. Nuray Ekşi, Yeditepe University*

2.15 p.m.: “Climate Change and its legal impacts: Status and rights of climate refugees in Turkey”– *Dr. Ayşe Yasemin Aydoğmuş, Istanbul University*

2.45 p.m.: Discussion



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3.15 p.m.: **Guest Lecture:** "AöW – public Water in public Hands – Expectations and the Implementation of Sustainable Development Goals in Germany from the view of AöW and NGOs in the environment and development field" – *Dr. Durmus Ünlü, Deputy CEO AöW e.V. (Allianz der öffentlichen Wasserwirtschaft / Alliance of Public Water Management), www.aeww.de*

3.35 p.m.: Discussion

3.50 p.m.: Conclusion and prospects – *Prof. Dr. Silke Laskowski, Kassel University*

4.15 p.m.: END