

4th Tony Oposa Intergenerational Moot Court

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Reflections from Students of the Elisabeth Haub School of Law

at Pace University, New York, United States

Aaron Rudyan

I represented the International Joint Commission under the Boundary Waters Treaty at the 4th Tony Oposa Intergenerational Moot Court. Climate change is the largest environmental issue of my generation. It was not until the past couple decades that the world started to feel the impacts of a warming Earth. By participating in this competition, I learned from people all over the world how climate change affects their lives. From learning how the European Union has already begun to implement geoengineering projects to help stabilize our Earth's climate to learning how the African Union has required that indigenous peoples receive free, prior, and informed consent with respect to activities that impact the environment, our world is actively fighting to adapt to and mitigate the effects of climate change. The International Joint Commission asserted that although climate mitigation is unequivocally necessary, nations should not blindly enter into potentially world-changing activities. Therefore, we argued that, with respect to the proposed geoengineering projects, international law and custom requires the completion of an environmental impact assessment before the implementation of geoengineering projects. Furthermore, we posited that due to geoengineering's indefinite implementation, a rolling environmental impact statement, similar to that of the International Joint Commission's Great Lakes Agreement, should be utilized. However, procedural requirements are not enough. Although the International Joint Commission mainly focused on these procedural requirements, by participating in this moot court, I was able to hear the skillfully crafted arguments by the other international organizations on the important and necessary substantive international law in place to prevent further destruction to our environment.

Although the current United States administration has disavowed the unequivocal existence of climate change, many individuals in the United States have still collaborated at an international scale to fight the changing climate. This competition helped me understand that the fight against climate change is not one we should do separately; rather, by collaborating on a global scale, we can ensure that Earth's surface temperature does not exceed two degrees centigrade. Every corner of this Earth is affected by anthropogenic climate change, and it is our duty to not only protect the Earth for our current occupants but also maintain Earth's natural framework for future generations. I want to thank all the participants, judges, coaches, and organizers for teaching me so much about law, intergenerational equity, and most importantly international collaboration.

Megan Edwards

I was truly inspired to hear the creative approaches taken to the questions regarding the intergenerational impacts of geoengineering and indigenous peoples' participation in decision-making during the 4th Tony Oposa Intergenerational Moot Court. The collaborative approach the teams took to presenting and answering the questions was particularly encouraging to me, as in the real world, we will need to work together to solve the global environmental issues we are faced with. Each team provided a unique perspective to the questions, and we worked together to fill the gaps in each other's propositions to create the most well-rounded presentation.

Ultimately, the Moot Court resulted in a multi-faceted approach to the global problems of intergenerational impacts of geoengineering and indigenous peoples' participation in decision-making. It was empowering to be a part of this group and to learn from the experiences and ideas of professors from around the world. Being a part of this Moot Court made me very excited to continue my legal education related to global environmental issues, as well as to pursue more experiences to work on these projects. I am very much looking forward to working together with my new colleagues in the future, and I am excited to see the exciting work they continue to do!