



International
Justice Initiative

Coordinators' Report 2020

International Justice Initiative

University of Tasmania Law School
November 12, 2020

CONTENTS

OVERVIEW	2
TASKS	3
SEMINARS	4

OVERVIEW OF 2020

The *International Justice Initiative* enables UTAS law students to experience the practice of international law and policy first-hand, through legal research, analysis and service in public interest. It empowers students to tackle contemporary issues in international climate law, international humanitarian and criminal law and climate justice, by contributing to the work of influential organisations and alumni. The *Initiative* aims to advance the practice of international law in the public interest; provide students with opportunities in international law and policy; support poor and vulnerable countries and groups with pro-bono advice; and further strengthen the UTAS Law School's international profile.

STUDENT PARTICIPANTS

- India Beecroft
- Felix Craig
- Aisha Nazzal
- Himaushu Hardikar
- Andonny Papastamatis
- Sharifah Syed Rohan
- Kavindya Walalawela Gedara
- Nina Hamasaki (Coordinator)
- Rachel Hay (Coordinator)

CONVENORS

- Matthew Stilwell
- Brook Dambacher
- Rebecca Byrnes

FACULTY ADVISORS

- Matias Thomsen
- Working in International Humanitarian Law and International Criminal Law
- Working in International Humanitarian Law

PROGRAM

The *Initiative's* program for 2020 included five tasks, four seminars on various topics of public interest international law. The *Initiative* worked with two new organisations - the Loss & Damage Youth Coalition and the Fossil Fuel Treaty Initiative - which allowed participants to gain a problem education and impact in international climate change law and climate justice. Operating in a unique set of circumstances, the *Initiative* continued in 2020 through online communication during Tasmania's COVID-19 lockdown, and in-person meetings once restrictions eased. Unfortunately, however, students could not participate in any of the usual trips to conferences such as the UNFCCC COP.

TASKS

- Weapons Registries
- Non-State Armed Groups
- Loss & Damage Youth Coalition
- Weapons Treaties
- Total SE Research

SEMINARS

- Introduction to Climate Justice
- Fossil Fuel Treaty Initiative
- Introduction to International Humanitarian Law and International Criminal Law

TASKS

WEAPONS REGISTRIES

In this task, participants assisted the Fossil Fuel Treaty Initiative in researching why a fossil fuel registry would be useful in a Fossil Fuel Non-Proliferation Treaty, and how this might operate. Participants prepared a memo on the case for a fossil fuel registry, including the current fossil fuel reporting and gaps in this. Participants also prepared memos examining different elements of existing registries, including the history, details and structure, and evaluated how this may work in relation to a Fossil Fuel Non-Proliferation treaty.

NON-STATE ARMED GROUPS

Participants were tasked with investigating whether non-state armed groups (NSAGs) incur obligations of an occupying power when controlling territory. Participants researched the responsibilities of Occupying Powers under the Fourth Geneva Convention and Additional Protocol I. Further, they considered whether NSAGs owed obligations under international human rights law and more specifically whether the NSAGs could only enforce pre-existing laws of the State. Finally, students determined whether obligations of humane treatment in non-international armed conflict, contained within Common Article 3 and Additional Protocol II, could be used as further justification for the above arguments.

LOSS & DAMAGE YOUTH COALITION

Participants assisted in the initial phases of creating the Loss & Damage Youth Coalition, a group of youth from the global North and South who are demanding action on the Loss and Damage caused by climate change.

WEAPONS TREATIES

This task aimed to assist the Fossil Fuel Treaty Initiative in determining the fundamental ingredients of a Fossil Fuel Treaty, by looking at the major treaties that prohibit the use of weapons and harmful substances. For this task, participants were allocated an international weapons or harmful substances treaty. They analysed these treaties, summarising their provisions, highlighting novel provisions, researching the involvement of non-state actors, and the relative successes of each of the treaties. Students presented their research to the Deputy Director of the Fossil Fuel Non-Proliferation Treaty.

TOTAL SE RESEARCH

In this task, participants did background research for a website which will aim to uncover and criticise the practises of Total SE, a French company which operates internationally to create, supply and dispute oil, natural gas and electricity. Participants collated information on Total SE's activities, which showed a disregard for human rights, as well as environmental degradation and corruption. This was supported by research on the media and NGOs positions on Total SE's operations. This was contrasted with research on Total SE's narrative regarding their operations and goals.. Participants also researched existing watch sites, noting what information was available, how information was categorised and what model would suit best for a Total SE watch site. .

SEMINARS

INTRODUCTION TO CLIMATE JUSTICE

Matthew Stilwell

Initiative participants attended a seminar by Convenor Matthew Stilwell about the historical and social context in which UN Climate Change negotiations have taken place. This included an introduction to the climate movement and the various converging and diverging interests which complicate the negotiations. Particular attention was paid to the interests of least developed countries and the obstacles created by the influence of vested interests such as the fossil fuel industry. The seminar provided Participants with relevant knowledge to begin working on the four climate-related tasks.

FOSSIL FUEL TREATY INITIATIVE

Matthew Stilwell

Matthew also gave a seminar to students on the Fossil Fuel Treaty Initiative, which aims to create a treaty through which countries can commit to the non-proliferation of fossil fuels. Matthew explained to participants that the Treaty will sit on the pillars of non-proliferation, global disarmament and a peaceful transition.

INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL CRIMINAL LAW

Matias Thomsen

Initiative participants attended a seminar by Matias Thomsen (UTAS Law PhD candidate and former researcher at the International Criminal Court). Matias introduced the Participants to core concepts in the law of armed conflict, the work of the international criminal court and the global context in which prosecutions are conducted. This allowed

participants to work on the non-state armed groups task.

WORKING IN INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL CRIMINAL LAW

Tim McCormack

Participants attended a seminar by Tim McCormack (UTAS Law Professor and Special Adviser on International Humanitarian Law to the Prosecutor of the International Criminal Court in The Hague). Tim discussed how he made it from Burnie to the halls of the Hague, and provided advice to participants on how they could follow in his footsteps.

WORKING IN INTERNATIONAL HUMANITARIAN LAW

Fauve Kurnadi

Participants attended a seminar by Fauve Kurnadi (legal advisor to Red Cross in international humanitarian law). Fauve discussed her role at the Red Cross and how participants can pursue a career in international humanitarian law.