

**Federation of European Bars 25th Anniversary Congress
Lawyers and Climate Change: The Role of Lawyers in Protecting the
Environment**

*Introductory Address on behalf of the IBA, Wendy Miles QC
Chair IBA Working Group on Arbitration and Climate Change
Partner, Debevoise & Plimpton International Dispute Resolution Group*

Ladies and Gentlemen:

1. Thank you for inviting the International Bar Association (IBA) to provide a brief address. I congratulate you and the Federation of European Bars on this wonderful event with its very timely focus.
2. The IBA is the world's leading organisation of international legal practitioners, bar associations and law societies, with a membership of over 80,000 lawyers from 170 countries and 200 bar associations.
3. One of the greatest strengths of the IBA in meeting this challenge is the diversity that we represent: commercial practitioners, lawmakers, judges, corporate counsel, bar leaders, and civil society representatives. The challenges posed by climate change have been one of the central focuses of the IBA in recent years.
4. In 2014, the IBA published a report -- 'Achieving Justice and Human Rights in an Era of Climate Disruption'-- that surveyed domestic and international legal regimes addressing climate change and made recommendations as to how they could be reformed to mitigate and adapt to climate change and, critically, to enhance climate change justice.
5. The Task Force Report contains over 50 specific and practical recommendations to achieve greater justice and human rights in the global response to climate change. Since the adoption of the Task Force Report, the IBA has continued to push for the implementation of the Task Force's recommendations, including the establishment of two Working Groups: One to explore the Legal Aspects of Adaptation, specifically the challenges presented by (1) climate change migration; (2) food security; (3) technology transfer; and the other to develop a Model Statute on Climate Change Actions and Relief to be used by States to reform domestic rules.
6. Implementation has extended right across the IBA's diverse network of lawyers, with many of the IBA sections and committees taking responsibility for the promotion of certain of the recommendations. Among many other examples, I note that:

- a. The IBA's Section on Energy, Environment and Natural Resources is creating a network of climate change counsel to share knowledge and experience and is working with academic partners to organize conferences and seminars on key issues. It has published a special issue of its journal devoted to climate change issues.
 - b. Our Arbitration Committee has been working closely with our partners in the Permanent Court of Arbitration (PCA), the Stockholm Chamber of Commerce Arbitration Institute (SCC) and International Chamber of Commerce (ICC) to promote the enforcement of climate change obligations through arbitration, including the United Nations Framework Convention on Climate Change's dispute resolution clause.
 - c. Our Corporate Social Responsibility Committee is driving the implementation of recommendations directed at businesses and corporations, while encouraging States to adopt clear regulations clarifying businesses obligations and reporting requirements in this field.
7. Last week, COP23 concluded in Bonn, Germany. State parties to the 2015 Paris Agreement have once again come together, this time to agree the language of a Paris Agreement Rule Book on the detailed implementation of and mechanics for operationalising the Paris Agreement.
8. During COP21 – the Paris Conference of the Parties (COP) where the Paris Agreement was achieved – four legal institutions came together to host an event to explore international arbitration and climate change. In addition to the IBA, the ICC, SCC and PCA supported that event, hosted at the ICC Court of Arbitration in Paris. Last year, the SCC hosted a follow-on event to explore the use of investment treaties to deal with climate change related disputes. This week, the four institutions join again – for the first time inside the COP itself – to host an official side event to discuss international dispute resolution for disputes arising under the Paris Agreement itself, as provided for in Article 24 of the Agreement.
9. Lawyers continue to play a critical role. Each of us, within our own specialist expertise, must be part of the solution to the problem of climate change.