

特別講義

# 明治大学 国際交流基金事業 「研究者交流支援制度」

## Public Interest Litigation at International Courts: Chances for Global Climate Protection?

2025年3月27日 木

15:00

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16:30

明治大学 駿河台キャンパス グローバルフロント4階 403N

### 講演詳細（使用言語は英語です）

The question to what extent so called “community interests” can be claimed in procedures before international courts is currently widely debated. The common interest that is currently playing a major role in proceedings before courts on the national and international level is the mitigation of and adaptation to climate change. The law knows different approaches as to who can bring claims to what kind of courts and how community interests can be pursued in cases against private and State actors. We can distinguish different approaches to address community interests for climate protection via international court proceedings. Most notably: human-rights cases such as the case of the “Klimasenioren” at the European Court of Human Rights and advisory opinions. Yet, so far, we have not contentious inter-state dispute settlement that could be compared to other cases of “public interest litigation”, such as *Gambia v Myanmar* or *South Africa v Israel*. In this context, it is necessary to approach what is meant by community interests, by public interest litigation and to distinguish different types of proceedings. While the modalities of public interest litigation build the background to procedural considerations of jurisdiction, standing and the extent to which third parties are involved in international dispute settlement in current cases concerning e.g. the Genocide Convention, the difficulties to bring cases for climate protection to international courts are of a different nature.

### 講師紹介 Prof. Dr. Nele Matz-Lück

Prof. Dr. Nele Matz-Lück is Professor for Public International Law, particularly the Law of the Sea at Kiel University Law School, Germany and Co-Director Walther Schücking Institute for International Law at Kiel University. In addition to the law of the sea, her research and publication activities focus on international environmental law, the law of international treaties and comparative constitutional law. Since June 2020 she has been added to the list of arbitrators and conciliators pursuant to Annex V and VII of the United Nations Convention on the Law of the Sea by appointment by the German government.



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