



Report of the Conference

The United Nations in Battling Against Climate Change

15-16 May 2024



Lecturers	Opening Remarks	
Dr. Nasrin Mosaffa, Professor, University of Tehran IAUNS Chair	 IAUNS must express gratitude to all the involved and interested participants in this conference which is held to fulfilling a common obligation along with scientific effort in order to analysing and evaluating one of the most essential challenges of current human life. This is the IAUNS 13th presence- based conference in alignment with the IAUNS Constitution. The goal of the conference is inspiring towards increasing awareness and necessity of factual actions based on scientific researches, experiences, innovative solutions and cooperations at national, regional and international levels. Emphasizing on the common but differentiated responsibility of the states, IAUNS will hopefully pave the way for making a change worthy of attention and reflection for a more sustainable, fair and resilient world with special consideration to the most vulnerable groups affected by realities on the ground from climate change as a comprehensive challenge beyond generations and majors. 	
Dr. Mohsen Abdollahi, Associate Professor, Shahid Beheshti University Conference Scientific Secretary	 The topic of this conference has been chosen considering accumulating crucial changes since the conclusion of the United Nations Framework Convention on Climate Change thirty two years ago. In accordance with the principle of common but differentiated responsibility in 1992 developed countries were supposed to take responsibilities to battling against greenhouse gases' emissions but with Paris agreement in 2015 all of the states are committed to announce their plans (NDCs) accordingly, as the E.U and the U.S have announced the year 2050 as the goal for a zero -carbon economy; which developments as such will lead to huge decrease in the income of OPEC members. Along with of numerous measures taken in this field through the UN and the international community, obligations of states in respect of climate change have been asked from two international courts too; the ICJ and ITLOS and the judgement of the European Court of Human Rights in case against Switzerland is so worthy of attention in the field. 	
Dr. Yadollah Saboohi,	◆ Since the deadly London Smog in the 1950s and detrimental	

Retired Professor, Sharif University of Technology

impacts of high economic growth on communities and environment in the 1960s due to the use of conventional energies mostly by industrialised countries, serious discussions commenced to controlling and standardising local pollutions such as sulphur oxide and nitrogen oxide and to internalising their external costs in the 1970s,1980s and specially the 1990s with the Conference of Rio de Janeiro and the Kyoto Conference and mechanisms such as carbon tax, CDM, ETS and CBM to control greenhouse gases emissions so far.

- ♦ With regard to the European Green Deal and CBAM reports which will be obligatory for all the imports to the EU from 2026 it seems that Iran's economic dysfunctionality, incompetency and incapability in energy and environmental optimization and adaptation to theses developments put it at a disadvantage internationally as has already been deprived itself from tens of billions of dollars income.
- According to the measurements of Sustainable Development Goals which has been globally agreed on 2015, climate change as the goal number 13 is moving in a disastrous way and comprising biodiversity degradation and pollution forms a triple planetary crisis that is an existential threat specially to those who are the most vulnerable while the least responsible which requires states to taking actions and translating their normative commitments into taking real steps to tackling the crisis as it was realised on the issue of ozone layer by the Montreal Protocol.
- Climate change mitigation, adaptation and financing are three essential elements in the formula for solving the climate change problem. Cutting greenhouse gas emissions, phasing out fossil fuels and using renewable energies need huge flows of funding from developed countries into developing countries which there is a huge gap between funding supply and funding demand in this field. For Iran transition to clean energy presents is very promising and cost effective regarding its vast natural resources.

Dr. Stephen Prisner,UN Resident Coordinator in Iran

The First Panel



Panelists of the First Panel	Topics	Panelists' Kernels
Dr. Mohammad Reza Ziaei Bigdeli, Emeritus Professor Allameh Tabataba'i University Panel Chairperson	First Panel entitled Climate Change and Institutionalism	 The issue of climate change has been frequently high on the UN list of priorities. The Paris Agreement in 2015, although being an international treaty, is not binding for state parties: while according to the International Law and the Law of Treaties must be legally binding, it is purely a framework for states to make decisions. It has yet to be discussed vastly why the environmental branch of the ICJ doing the job effectively.
Dr. Erfan Shams, Asistant Professor, Shahid Beheshti University	Individual Encounter Versus Collective Encounter: Towards Collective Institutionalism in Battling Against Climate Change	 Regarding the incompetency of the traditional paradigm of states' interventions in response to complicated environmental challenges, and the inherent paradox of the Paris Agreement, it should be evaluated whether the agreement has accomplished its purposes. Garrett Hardin's work of the tragedy of the commons, Game Theoretic rationalistic approach, and realism and neorealism theories all guide us toward paradoxical global commons and difficulty of cooperation and collective action.
Dr. Hadi Mahmoudi, Assistant Professor, Shahid Beheshti University	Space Law and Climate Change Law	 There is a specific relation between Space Law and the Climate Change Law which are two independent in way that for example Use of satellite data, space and space technology, and frequencies would lead to excellent enforcement of climatic treaties and diminishing climatic effects. Obligations are in fact not binding in the soft law as the Resolution of the General Assembly in 1986 and could be binding only in data trading. With regard to the 1967 Outer Space Treaty, and the fact that the appliance of spacial techniques has inevitable impacts on environment, one of the important questions raised in its relation to the International Law is that whether environmental treaties could be applicable extraterrestrial?
Dr. Hilda Rezaie, Assistant Professor Islamic Azad University, South Tehran Branch	Using Renewable Energies in International Documents and Regional Mechanisms	 ✓ Reducing the effects of energy consumption, promotion of energy storage, and increasing the production of clean energy which constitute the energy policies of the EU are essential in regional documents and international documents as well in protecting the environment. ✓ The use of renewable energy sources such as aqua and solar energies and a collaborative program have been

		put on the EU agenda through the determination of a framework, which the Netherlands is considered to be the pioneer of following Denmark. The right to clean and healthy environment is included in the framework of third generation of human rights.
Dr. Ahmad Reza Tohidi, Assiciate professor, University of Qom	The Role of ICSID Arbitration in Fulfilling the UN Climate Goals	 ◆ According to the reports, the effects of the climate change will be accounted for death of 250000 people from 2030 till 2050. There is a direct relation between climate change and FDI which is about one thousand billion dollars. ICSID is among 270 investment arbitration institutions existing currently in the word. ◆ Three methods of arbitration, conciliation, and individual facilitation are accessible in the ICSID and the arbitration is critical in fulfilling the UN climate goals. There have been five arbitration cases in the field of climate change which only one case has been accepted by the ICSID about Belgian compony against Italy and the vote issued against Italy.
Dr Hengameh Ghazanfari, International Law Researcher Panel Head person,	Briefing the Panelists	Dr. Shams mentioned the existing difficulties in achieving collective cooperation but at the same time tendencies to decreasing greenhouse gases has lead to cooperations. Dr. Mahmoudi mentioned that there is no obligational spacial commitment but the institutions in this field tend to make obligations to protect the planet. Dr. Rezaie mentioned institutionalism in the EU and considerable taxing for unclean energies. Dr. Tohidi mentioned the ICSID's intention to accept cases of climate change and the essentiality of the judgement and the decision made by the arbitration jury.

Questions and Answers

The Second Panel



Panelists of the Second Panel	Topics	Panelists' Kernels
Dr. Mahdi Piri Associate Professor, University of Tehran Mr. Maleki law Student University of Tehran	An Analysis of the Rules and Regulations in the EU Regarding Carbon Tax and Battling Deforestation, via the International Law Standards from the perspective of the Right to Development	✓ The EU has a wider range of climate commitments in comparison to the rest of the world which applies to its carbon emissions market too. In order to deal with the problem of decreased competitive advantage of EU products and to battle carbon leakage it has introduced a specific mechanism and policy of acquiring carbon tax from companies that have not paid such tax at their place of origin which will be going to have considerable implications for developing countries in Africa and Asia. ✓ The principle of common but differentiated responsibility and the right to development are facing challenges due to carbon taxation and deforestation regulations.
Dr. Hassan Savari, Associate Professor, Tarbiat Modares University Mr. Seyed Mohammad Amin Alavi Shahri Ph.D. Student Tarbiat Modares University	Environmental Policies Governing Foreign Investment through Emphasizing on Decarbonisation	 There is a need of rebalancing not only between the global North and South but also between fragmented legal spheres and International Investment Law in order to respond the need for battling climate change and make people sensitive. Environmental commitments in International Investment Agreements exist in various forms; Some regulations have an introductory character such as the Myanmar-Singapore Bilateral Investment Treaty, signed in 2019. Some documents include special regulations; Some IIAs have an interpretative and non excepting mechanism; and some regulations are preventive and have screening approach toward climate change.
Dr Shirin Shirazian, Assistant Professor, Islamic Azad University	Sustainable Mining of Cryptocurrencies from the Perspective of Climate Change Law	◆ Regarding the relation between cryptocurrencies and the environmental pollution, highest amount of energy is consumed in the "proof of work" algorithm section of mining. Electronic Wastes, or E-Wastes are another pollutions in this field following heat pollution. With sustainable mining negative consequences of mining can be reduced while considering next generations development needs.

		reduce greenhouse gases through international climate legal frameworks will lead to increasing EPI and sustainable mining.
Dr. Erfan Shams, Panel Chairperson Dr. Mona Karbalie Amini Researcher in International Law Panel Chairperson	Briefing the panelists of The Second Panel entitled Climate Change and Low Carbon Economy	Dr. Piri and Mr. Maleki mentioned that by Paris agreement all states have the same obligation of decreasing gas emissions and analysed the EU carbon taxation and deforestation regulations; Dr. Savari and Mr. Alavi mentioned solutions such as rebalancing various legal spheres, states relations and human sensitivity through arbitrations and states commitments in legal documents; and Dr. Shirazian mentioned the harmful effects of mining cryptocurrencies on the environment and emphasized on renewable energies towards sustainable minnig.

Questions and Answers

The Third Panel



Panelists of the Third Panel	Topics	Panelists' Kernels
Dr. Sattar Azizi, Assiciate Professor, Bu-Ali Sina University Dr. Mohammad Mahdi Seyed Naseri Ph.D. Graduate Islamic Azad University U.A.E. Branch	Obligation of States to Ensure Children's rights against Climate Change, Emphasizing on General Comment No. 26 of The Committee on the Rights of the Child	 Regarding the CRC General Comment No. 26 adopted on October 2023 titled children's rights and environment with a special focus on climate change there is an urgent need to address the impacts of climate change on the enjoyment of children's rights and the emphasise is on dissemination of a holistic and intergenerational concept of children's rights. Articles 24, 27, 28 and 30 of the UN Convention on the

		Rights of the Child are specifically affected by Climate Change. Regarding gradual progress of international law states are bound to cooperate and to take actions individally aand collectively to protect both the children and the environment.
Dr. Fatemeh Keyhanlou Assistant Professor, Islamic Azad University Karaj Branch	Displacement and Climate Change; A Case Study of Ioana Teitiota VS. New Zealand before the Human Rights Committee	 ♠ Mr. Teitiota's reasons for seeking refuge in the New Zealand was related to Climate Change impacts on Kiribati where he came from in a way that could have threatened his right to life there. After Teitiota was expelled from New Zealand, he made recourse to the Human Rights Committee in 2016 which his request was dismissed. ♦ Climate change could be a valid basis for acquiring refugee status, something which is confirmed at the international and domestic level. Article 6 of the International Covenant on Civil and Political Rights could also become a basis for Climate Change affected cases. However, with current tools and regulations in the International Law, international protection is not guaranteed.
Dr. Pouria Askari, Assiciate Professor, Allameh Tabataba'i University	Protection of the Environment Before, After and During the War, Based on the Principles of the International Law Commission	With regard to two reports one by Guardian from 2024 on the effect of war on the environment including pictures from Gaza as a cross section of ecocide, and another by Nature Magazine analysing the relationship between War and Climate Change, a vicious cycle of wars and climate change could be discovered which is yet to regulate in International Law. The International Law Commission in 2022 took some promising steps in the field and it has included not only the period of conflict but also the periods before and after the conflict.
Dr. Tavakol Habibzadeh, Assistant Professor, Imam Sadiq University Panel Chairperson Dr. Mahnaz Rashidi Assistant Professor, Shaheh University Conference Executive Secretary	Briefing the panelists of The Third Panel entitled Climate Change and Human Rights and Humanitarian Law	 The foundations for environment rights is human rights. Dr. Azizi mentioned the states' obligations on addressing the impacts of climate change on full realisation of children's rights with special emphasis on Article 48 of the Committee that has the capacity to be

Panel Chairperson

used as a basis in protection of the environment. Dr. Keyhanlou introduced a case related to Mr. Teitiota against the New Zealand basd on the impacts of climate change on his personal right to life in 2016 before the Human Rights Committee which was not successful in obtaining the support of International Law. Dr. Askari using the facts of two reports from Guardians and Nature Magazine mentioned that there is no normative framework for supporting the protection of environment at time of war in current International Law.

Questions and Answers

The First IAUNS Award

Dr. Nasrin Mosaffa, IAUNS Chair

- Had evaluated 18 book and dissertations due to the IAUNS call for supporting new researchers, the IAUNS Award Committee headed by Dr. Momtaz chose a young researcher and would like to appreciate his academic, original, creative and effective author here at this opportunity being as a symbolic or probably actual support.
- **Dr. Jamshid Momtaz**Professor,
 University of Tehran,
 IAUNS Award Committee Chair
- ✓ Regarding young generation's professors and lecturers of the conference for which I am very grateful, specially those of the third Panel, it is really promising that science is in progress in our country in contrary to what is being claimed against.it. The first IAUNS award has won by Dr. Siyamak Karimi's book titled The Legal System Governing States' Unilateral Actions in International System.



Last Day of the Conference

Opening Remarks

Dr. Pouria Askari IAUNS Secretary

- There is a need to move from a cooperationbased international order led by Treaty of Versailles towards a solidarity and common interest -based international order which is far beyond individual national interests and is possible if states could overcome security challenges.
- Eng. Dariyush Gol Alizadeh Head of the National Center of Weather and Climate Change
- Rendering resiliency, decreasing vulnerability, extending green economy and low carbon industry constitute four main goals of the Iran's climate change management plan in the 7th development program. Producing and issuing accurate data by a scientific and academic hub to impact policies and creating common literature between people and politicians with a collective rationality to prescribing for our country's specific impacts of climate change are currently of more importance than joining the Paris Agreement.

The First Panel: Climate Change and Youth

Heads:

1- Sadegh Bashireh; Ph.D. Student; Allameh Tabataba'i University, IAUNS Youth Committee Director; 2- Fatemeh Mirakhorli, Ph.D. Researcher; University of Qom, IAUNS Youth Committee Member



Panelists of the First Panel	Topics	Panelists' Kernels
Katayoun Ashrafi, Ph.D. Researcher, Allameh Tabataba'i University	Examination of Legal Mechanisms to Reduce Climate Impacts on Cultural Heritage	Regarding and analysing the harmful effects of climate changes on tangible, intangible and natural cultural heritage that could be observed in various cases such as Lake Turkana in 2018 all have numerous societal

		implications. The 1972 Convention for the Protection of the World Cultural and Natural Heritage mainly with conflict-related concerns, and the Paris Agreement are among legal assets and soft law in this field but their enforcement depends on states' will to realizing obligations.
Masoumeh Hoseini, M.A Student, Allameh Tabataba'i University	The Right to Clean Environment and Battling the Climate Change	 With regard to the General Assembly Resolution in July 2022 a clean, healthy and sustainable environment is recognized as a human rights which followed the UN Human Rights Council Resolution followed by soft documents of 1980s and 1990s. States' political statements given the Resolution manifest how this right is going to be guaranteed and obliged. States' actions through environmental international law have not been sufficient so far.
Saba Mokhtari, M.A Graduate, Scandinavian Institute of Law of the Sea Studies	Legal Analysis of Maritime Spatial Planning and the Development of Renewable Energy at Sea	 ✓ Regarding the blue economy demands and potential of the seas for renewable energy development to decreasing significant environmental and climatic impact the encountered existing challenges such as the installing of wind turbines and solar panels in the sea are yet to be overcome. ✓ There is a need to managing marine protected areas, marine spatial, ecosystembased, and cross- border planing and marine ecological networks in order to protect bio and environmental diversity.
Fatemeh Abiyar, M.A graduate, Bu-Ali Sina University	The ICAO Role in Battling Climate Change from the Aviation Perspective	 Regarding the trade and non military aviation and space industries fast expansion which has led to increasing stratospheric pollution there is a need to a mandatory document in the field to protect the space. ICAO's initiatives in the realm of greenhouse gases, including the establishment of broad seats to accurately determine each country's carbon share, is one of its pragmatic measures to approach the matter.
Sadegh Bashireh Ph.D. student Allameh Tabataba'i University	The Role of NGOs in Battling Climate Change from the Institutionalist Perspective	 With regard to presumptions of institutionalism based on anarchic state -centric international system and self- interests driven of states'

- behaviours, in battling climate change NGOs are important nationally and internationally. They could essentially encourage actors to adopt consistent patterns of behaviour.
- ◆ Conflicting states' interests burdens institutionalism but NGOs significantly impact various sectors not only by compiling and advancing numerous climate change initiatives but also by monitoring entities with substantial power in documentation, reporting, and truth-finding, which contributes to public enlightenment.

Questions and Answers

The Second Panel: Climate Change and Iran

Heads:

1- Dr. Mohsen Abdollahi, Associate Professor, Shahid Beheshti University, Scientific Secretary of the Conference; 2- Dr. Zahra Mahmoudi Kordi, Associate Professor, University of Mazandaran,



Panelists of the Second Panel	Topics	Panelists' Kernels
Dr. Fazlollah Mousavi, Professor, University of Tehran	Effects of the Islamic Republic of Iran's Accession to the Paris Agreement 2015	 The Paris Agreement is rooted in the Kyoto Protocol being as the fist UNFCC which has led to mandatory measures in 160 countries. Iran ratified the Framework Convention in 1995 and the Kyoto Protocol in 2004. The Paris Agreements although being voluntary and non punitive could render economic and security concerns and difficulties for developing countries including Iran plus high costs

		of transition from fossil fuels to renewable energies, which could lead to high decrease in economic growth. Developed countries' \$100 billion aid to developing countries won't be sufficient to cover the estimated costs of \$250 billion just for Iran.
Dr. Masoud Faryadi, Assiciate Professor, University of Mazandaran	National Institutional Challenges in Battling Climate Change	 National institutions play crucial role in combating climate change and indices such as transparency, scrupulosity, accountability, law- abidingness and participation could lead to acquiring foreign financial and technical resource for successful climate actions. Inefficient regulations, unutilized official structure and resources, unproductive organizational performance, and unutililized macroorganizational environment are among the main institutional challenges in battling climate change which manifest the need for institutional reform.
Dr. Mahnaz Rashidi, Assistant Professor, Shahid University Conference Executive Secretary	The Compliance and Implementation Mechanism of Paris Agreement (2015): Punitive or Facilitative Nature?	 To evaluating the implementation guarantee of the Paris Agreement, its essence, wording and handling process should be analyzed. the Paris Agreement does not guarantee strict implementation. The Committee's aim in Article 15 of the Paris agreement which an expert based and facilitative is to improving the states' performance; not to surveil implementation.
Dr. Mojtabi Sobhaninia Environmental Law Researcher	Reflection on the ambiguities of the Guardians Council of the Constitution on Iran's membership bill in the Paris Agreement	 ✓ Environmental commitments, including reducing greenhouse gas emissions are in essence nonbinding because the experience of Tokyo Protocol made them no longer move towards binding obligations. ✓ The legal status of Paris Agreement's commitments in Iran legal system would be procedural. Any agreement following the commitment must be approved by the Guardian Council; At the same time, the legal status of national participation programs is non-binding and voluntary and does not require approval.
	Questions and Answers	

The Last Panel: Climate Change, International accountability and disputes

Heads:
1- Dr. Farideh Mohammad Alipour, Assistant Professor, Kharazmi University
2- Dr. Sattar Azizi, Assiciate Professor, Bu-Ali Sina University



Panelists of the Last Panel	Topics	Panelists' Kernels
Dr. Ali Mousavi, General Director of International Legal Affairs of the Ministry of Foreign Affair	The Whys of requesting an Advisory Opinion from the International Court of Justice	climate change had been discussed at the UN since 1988. The developing and less developed countries led by Vanuatu started a series of research measures regarding this issue. The UN General Assembly resolution 1423 was unanimously approved by the UN in March 2023. 76 countries and nine organizations have submitted their statements to the court. Iran has submitted its observations to the ICJ. The ICJ will identify some customary rules in International Law.
Dr. Seyed Ghasem Zamani, Professor, Allameh Tabataba'i University	International Responsibility of States for Violation of Climate Obligations	 ✓ The Achilles heel of the states' responsibility for climate obligations, remains primary rules to identify state's responsibility resulting from their violation. Proving the attribution, the causal link and individual state's responsibility to a particular state in climate change cases is very challenging. ✓ As the emphasis on the principle of common but differentiated responsibilities or ethical social responsibilities imply, International responsibility law still attends with many deficiencies.

His Reverence Dr. Mahdi Hadi, The Judiciary Research Institute Head

Feasibility of Filing Environment Claims by Children Based in Domestic and International Forums Emphasizing on General Comment No. 26 of The Committee on the Rights of the Child

- Children's voices are a
 powerful global fora for
 environmental protection.
 Children are not only
 vulnerable but also right
 holders. The most important
 example in this field is Greta
 Thunberg. The onerous
 burden of proof from child
 plaintiffs is being shifted to
 establish causation.
- The right to the environment is not explicitly mentioned in the CRC. Complaint mechanisms should be childfriendly, gender -responsive, disability -inclusive and provide for collective complaints.

Dr. Shahram Zaranshan Associate Professor, Allameh Tabataba'i University

Mehdi Mansouri, Ph.D researcher, Allameh Tabataba'i University

ICAO's action in the legal system development ruling over climate change

- ➤ ICAO does not follow the general legal regime governing climate change such as the Paris Agreement and UNFCCC and its actions are sui generis in its climate change negociations=.

 Environment is one of the strategic goals of ICAO beside safety and security.
- Regarding the marketoriented mechanism, the
 historic decision of ICAO in
 Resolution A38-18 in 2013
 and finally Resolution A39-19
 in 2016, the Carbon Offsetting
 and Reduction Scheme for
 International
 Aviation(CORSIA), and new
 standards for Measurement,
 Reporting and Verification.
 (MRV) at the fourth chapter
 of Appendix 16 of the
 Chicago Convention were
 being evaluated.

Questions and Answers

IAUNS Youth Committee Approbations and Conference Adjournment by Dr. Nasrin Mosaffa

