

Please join us for the side-event

“A new generation of international public law (IPL)–the introduction of an appeals process to the CDM”

on Friday **09 April 2010 [19:45 - 21:15]** in room **Metro**, Ministry of Transport (**MoT**)

at the AWG-KP 11 and the AWG-LCA 9 meeting in Bonn organized by the German Emissions Trading Association.

The panellists will speak about the following topics in the orders set out below:

The current CDM approval and review process – an international administrative system without an independent review and consequences for its participants (both the regulator and the regulated).

Alexander Sarac, General Counsel, EcoSecurities, deputy chairperson (bvek)

Individual remedies in the UN system – a comparative review of flaws, loopholes and achievements.

Prof. Dr. Michael Bothe, Johan Wolfgang Goethe University, Frankfurt (Main)

General principles of public law proceedings and judicial review of administrative actions – A comparative analysis of EU law and the administrative law of EU member states.

Dr. Ludger Giesberts, Partner, DLA Piper UK LLP

Comments by the secretariat

Mr Feng Gao, Director Legal Affairs, UNFCCC Secretariat

Potential implications of the implementation of an appeals process on the work and actions of the CDM Executive Board

Member of the CDM Executive Board (requested)

Description:

Traditionally, international public law recognizes only states and international institutions as subjects of law. The CDM is redefining this traditional concept by engaging and regulating private entities, granting these entities direct rights and by allocating obligations directly arising from rules made within an UN framework. Consequently, questions of fair treatment, acknowledgements of rights of private actors, and due process have arisen in this context and the CDM is about to evolve yet again by introducing an appeals process against decisions by the regulator that effect the private actors. As natural an appeals process may seem in the context of a national administrative system, as novel is the introduction of such an instrument within in UN system.

The side event engages the legal community, by inviting legal professionals in private practice, in business, within the UN institutions and in academia.

The results of these discussions and the subsequent shape of the appeals process may have a direct input on the regulated (business) community engaged in CDM investments but will, undoubtedly, also impact future architectures of UN institutions and developments of international public law.

The contributions by the panellists will be followed by discussions and the auditorium is encouraged to participate as well. This first side-event related to this topic should mark the starting point for an international debate and should attract legal professionals, state representatives, and the business community.

Maps of the venue

MINISTRY OF TRANSPORT - SIDE EVENT ROOMS

