



NEWSLETTER

September 2015

Chris Backes joins UCWOSL

Chris Backes has been appointed as professor of Environmental Law at the Faculty of Law, Economics and Governance. Chris Backes will be member of the research group Water and Sustainability and the Utrecht Centre for Water, Oceans and Sustainability Law. Chris will take up this position on February 1st, 2016. At this moment Chris is professor of Administrative Law at Maastricht University.

Please visit the Maastricht University's [website](#) for more info.

Nomination Alex Oude Elferink

Alex Oude Elferink has been nominated to the chair of international law of the sea in the Faculty of Law, Economics and Governance of Utrecht University by the Executive Board of Utrecht University. He will take up his new position on 1 September 2015.

Conferences next year

Researchers of UCWOSL who have planned to visit a conference next year (2016); please register now for that conference in order to use the UCWOSL-budget for this year (2015) efficiently.

(New) employees

- Liping Dai joins UCWOSL as post-doctoral researcher.
- Julian Kevelam joins UCWOSL as junior researcher.
- Marga Robesin joins UCWOSL as associated member.



In this issue:

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Paris

From 8-10 July, Barbara Beijen, Andrea Keessen and Ernst Plambeck visited the 22nd International Conference of Europeanists entitled "Contradictions: Envisioning European Futures" organized by The Council for European Studies in Paris. They presented their papers at a mini-symposium organized by Mariolina Eliantonio (Maastricht University) and Martijn Groenleer (Tilburg University) entitled 'Contradictions and paradoxes of the EU Regulatory Framework'.

Please visit our [website](#) to read an extended report.

Aix-en-Provence

On 2 September 2015 Herman Kasper Gilissen gave a presentation about the NAS Project at the EELF Conference in Aix-en-Provence, France. He presented an interdisciplinary methodological framework for the assessment of the expected effectiveness of the division of responsibilities for climate adaptation in Dutch vulnerable vital network sectors. He specifically focused on defining the concept of 'expected effectiveness', determining its main indicators, and the application of the assessment framework.

Presentation Knowledge for Climate

On March 24 Marleen van Rijswijk presented in the Hague the results of a four year research project Knowledge for Climate: the Governance of Adaptation and the results of a study which serves as a building block for the Dutch National Adaptation Strategy. Andrea Keessen, Herman Kasper Gilissen, Wouter Ernst and Marleen van Rijswijk have been involved in these research projects and worked together with researchers from other national and international universities stemming from multiple disciplines. Please [visit the website](#) to see the powerpoint presentation.

Future Deltas-presentations

Researchers from UCWOSL – Frank Groothuijse, Andrea Keessen, Anoeska Buijze, Herman Kasper Gilissen and Marleen van Rijswijk - participate in the [UU Future Deltas focus group](#). Future Deltas organized a session on the international IAHR conference in the Hague on June 29, 2015 and a Future Deltas symposium on July 1st, 2015 in Utrecht. See the programme of the session and the symposium on the website of [Future Deltas](#) and the presentations of Andrea Keessen and Marleen van de Rijswijk [on the UCWOSL website](#).

STAR-FLOOD-presentations

On May 13, 2015 Marleen van Rijswijk presented the research results of the UCWOSL research team within the FP7 STARFLOOD project – Willemijn van Doorn-Hoekveld, Herman Kasper Gilissen and Marleen van Rijswijk – at the international ECCA conference in Copenhagen.

On May 14, 2015 Marleen van Rijswijk presented the first comparative research results of the FP7 EU STARFLOOD research project "Improving Flood Risk Governance Opportunities and barriers stemming from a combined social science and legal analysis" on the international ECCA conference in Copenhagen.

Click [here to see](#) the powerpoint presentations.



Otto Spijkers in China

Otto Spijkers in China

Thanks to a generous grant by the Utrecht University Visiting Fellowship Programme, Otto Spijkers, researcher with UCWOSL, was able to go to Xiamen Law School (China) for three weeks (10-30 May 2015), to teach a course on international water law, provide feedback to a group of PhD students, and give a guest lecture at sister university Wuhan University Law School. More on our [website](#).

Workshop social enterprises



Henk Jan Beltman

UCWOSL joins forces with rotary Bilthoven

Sunday the 13th December 2015, three rotary clubs in Bilthoven organize a Christmas benefit with soprano Maartje Rammeloo and pianist Jan-Paul Grijpink. The proceeds of the evening will be used to allow a group of students to visit South Africa where they will contribute to developing a method for inclusive water management that meets the needs of South Africa's rural communities and impressive nature. The student project will be integrated in UCWOSL's JACANA research project, which we hope to launch early in 2016.

The concert will be held in the OLV-church, Gregoriuslaan 8, in Bilthoven. The church opens at 15.00 and the concert starts at 15.30. More information can be found at www.rotaryconcert.nl

Tickets cost € 25,- and can be ordered through UCWOSL by sending an e-mail to a.buijze@uu.nl.

Research project Implementing decent work in global supply chains

From September 2014 up to April 2015, Tineke Lambooy and Yulia Levashova - together with a Nyenrode Business University research team - have conducted a research project on the question if and how the ILO decent work standards are being implemented in global supply chains. This project was sponsored by the Dutch Ministry of Social Affairs and Employment. Tineke and Yulia have been working together with the Dutch consultancy company with a focus on sustainability issues, CREM. The goal of the project was to reveal how the decent work standards can be improved via supply chains. The researchers investigated the national, international and European policies and legal initiatives to strengthen the labour standards in supply chains, and shared the results with the Ministry.

Aikaterini Argyrou presented part of her PhD research at the workshop explaining how tailor-made legislation for social enterprises in Belgium, UK and Greece has promoted social entrepreneurship. The workshop was chaired by Niels Bosma (Utrecht School of Economics). In the first round of the workshop inspiring social entrepreneurs Henk Jan Beltman (Tony's Chocolonely) and Paul Vermeer (AutiTalent) presented their social enterprises.

The China Water Law lectures

Between 6-13 April 2015 Liping Dai and Marleen van Rijswijk went to China for a college tour to 4 Chinese Universities. Together they gave 9 lectures on water law and governance, on adaptation to climate change, on research methodology, on how to apply for research grants and how to do research in the Netherlands. A full version of the report including pictures can be downloaded on our [website](#).

Submission EU Research Call Proposal

Tineke Lambooy and Aikaterini Argyrou, in collaboration with research partners from Utrecht University i.e. Prof. Veronique Schutjens (Department of Human Geography and Planning), Prof. Susan Branje (Education and Pedagogy Department), Prof. Andriiaan Dorresteyn (Molengraaf Institute for Private Law) and Dr. Robert Helder (Molengraaf Institute for Private Law) under the leadership of Niels Bosma (Utrecht School of Economics) contributed to the successful submission of the Y-ESCAPE H2020 proposal in response to the European Commission Call Young-4 The Youth as a driver of social change. The Y-ESCAPE project aims to advance theory and analyse how the youth can drive social change by bridging the concepts of civic engagement, political engagement and social entrepreneurship from an interdisciplinary perspective.



Workshop in Greece visited by Tineke Lambooy and Aikaterini Argyrou

The conference 'Stimulating Business in a Europe in Crisis: Evolving Trends & the Case of Greece' was held in Thessaloniki, Greece in June 2015. The conference was organized by the Jean Monnet Chair for European Constitutional Law and Culture, Aristotle University of Thessaloniki, University of Bristol Law School and University of Oslo Faculty of Law. At the conference Tineke Lambooy presented the conclusions from Dopper case study. The title of her presentation was: "Stimulating Business in Europe through Social Entrepreneurship - Case Study 'Dopper'." The Dopper case study is part of a research project that elaborates on case studies in the Netherlands regarding governance models of social enterprises. The development of case studies belong to a broader comparative research project which is currently carried out by Utrecht University in collaboration with Nyenrode Business University. The comparative research project examines various legal regimes in different European countries in order to identify whether they offer a special legal structure for social enterprises. The research focuses on the way internal and external stakeholder participation is embedded in the (corporate) governance of social enterprises.

Tineke Lambooy with the assistance of master students from the LRM UU programme i.e. Olivera Vuletic and Aalt Colenbrander have selected three social enterprises in the Netherlands, i.e. Dopper BV (production and sales of refillable plastic Dutch design bottles), Tony's Chocolonely BV (production and sales of 'slave-free' chocolate), and Autitalent BV (employment agency for employees with autistic characteristics) to elaborate on stakeholders' decision-making power in governance as well as on the participation of stakeholders in the organisational structure and business models of these social enterprises. The conference was followed by the 1st Annual Workshop of the International Network of Female Business Scholars-Daughters of Themis that was held in Chalkidiki, Greece in June 2015. The workshop was organized by Prof. Beate Sjøfjell from the Faculty of Law of Oslo University. At this Workshop, Tineke Lambooy presented a new research paper with the title "Diversity and Gender Equality in Corporate Boards of Listed Companies in The Netherlands: Different Concepts and a Temporary Matter?". This entailed the results of her study for the Dutch Corporate Governance committee regarding the Dutch listed companies' compliance with the board diversity requirements in the Netherlands.

Aikaterini Argyrou presented a new research paper with the title 'Removing the barriers to gender equality in the field of employment in Greece: The cases of Female Social Entrepreneurship and KOINSEP'.

Recent publications highlighted

- **Book “Bridging the Gap between Investment Law and the Environment”, Eleven Publishing, 2015**

The book “Bridging the Gap between Investment Law and the Environment”, edited by Yulia Levashova, Tineke Lambooy and Ige Dekker will be published by Eleven Publishing in September/October 2015.

The central topic of this book is the still underdeveloped integration of environmental needs and policies in international investment law. The question how environmental concerns can be further integrated into international investment law is analysed in this book on three levels. Firstly, on a general and abstract level, i.e. what are the points of interaction between international investment law as such and the protection of the environment? Secondly, what problems are encountered when trying to integrate environmental requirements in the legal investment regime in specific societal sectors or fields? And, thirdly, on a more practical legal and policy level, i.e. what type of concrete conflicts is produced by the tension between protecting foreign investments and retaining regulatory environmental autonomy of host states? On the basis of these three levels of analysis, the contributions – all written by distinguished scholars and/or legal practitioners – are brought together in three subsequent parts: (1) general perspectives on the relationship between international investment law and the environment, (2) a deepening of these perspectives in respect of some specific areas, and (3) case studies of investment conflicts with an environmental dimension.

The topics that are covered in this book include: international investment law and the broader concept of sustainable development, climate change policies and foreign investment, international investment law and the right to access to water, fair and equitable treatment and the protection of the environment, procedural challenges of environmental litigation in the context of investor-state arbitration, international responsibility of the state and international responsibility of juridical persons for environmental damage, investment arbitration in the nuclear energy sector, the EU investment policy, and the South African investment policy and environmental protection. The book also includes specific case –studies, e.g. Chevron v. Ecuador, Vattenfall v. Germany, disputes under the Espoo Convention and disputes in the Indonesian mining sector.

Yulia Levashova has contributed the chapter “Fair and equitable treatment and the protection of the environment: Recent trends in investment treaties and investment cases.”

Tineke Lambooy has contributed the chapter “Foreign Direct Investments in the Mining Industry in Indonesia: Disputes Concerning Environmental Degradation and Pollution .”

Aikaterini Argyrou, Yulia Levashova, Ige Dekker and Tineke Lambooy contributed to the Introductory Chapter of the book.

- **Research results communicated in conference and published at UNCTAD website**

On 25 – 27 February 2015, the outcome of the project ‘Bridging the Gap between International Investment Law and the Environment’ was reported by Yulia Levashova LL.M at an expert meeting on the International Investment Agreement Regime organized in the context of the World Investment Forum 2014.

A summary of the results of the research project conducted by Yulia Levashova, Tineke Lambooy and Ige Dekker were also published on the website of the United Nations Conference on Trade and Development (UNCTAD), 2015 (<http://unctad-worldinvestmentforum.org/followup-events/report-back-project/submissions/>).

Yulia Levashova has presented the research project and the outputs at the UCWOSL research meeting of 8 May 2015.

- **An article by Aikaterini Argyrou and Tineke Lambooy was accepted for publication in the next issue of the International Journal of Business and Globalisation by Inderscience:**

(Reference): A. Argyrou, T. Lambooy, R.J. Blomme and H. Kievit, ‘An Understanding how Social Enterprises can benefit from Supportive Legal Frameworks: A Case Study Report on Social Entrepreneurial Models in Greece’, *International Journal of Business and Globalisation*, (forthcoming 2015).

Abstract

This study aims to test how legal factors affect the corporate structure of a social enterprise. The current article focuses on the legal factor of governance as the decision-making power of stakeholders within the social enterprise. The authors conducted a case study and examined a major social enterprise (Koinsep) active in Greece. By developing a case study, this article aims to generate theoretical statements about the practical application of the legal factor of governance in the Greek Koinsep as well as a comprehensive understanding of the involvement of stakeholders in the Koinsep’s corporate structure. The case study not only demonstrates the relevance of legal provisions and their implementation in the corporate structure when stakeholders are involved in the decision-making process, but it also suggests ways for improving organisational functioning.

- **Rogers, A.D., Brierley, A., Croot, P., Cunha, M.R., Danovaro, R., Devey, C., Hoel, A.H., Ruhl, H., Sarradin, P-M., Trevisanut, S., van den Hove, S., Vieira, H., Visbeck, M. (2015) Delving Deeper: Critical challenges for 21st century deep-sea research. Larkin, K.E., Donaldson, K. and McDonough, N. (Eds.) Position Paper 22 of the European Marine Board, Ostend, Belgium. 224 pp. ISBN 978-94-920431-1-5**

A multi-disciplinary group of European researchers spanning natural science, socio-economics and law have joined forces to assess the current landscape of deep-sea research and investment in Europe. Once considered remote and inaccessible, commercial interest to exploit the deep sea is rising due to economic drivers and technology developments. However, exploitation activities in the deep sea remain highly contentious, particularly regarding the potential risks and environmental impacts associated with such activities. A consultation of deep-sea stakeholders spanning academia, industry and NGOs has identified deficiencies in basic knowledge of deep-sea systems which, if not addressed, could hinder ecosystem-based management of the deep sea and in turn limit the sustainability of the emerging deep blue economy.

- **Members of UCWOSL participated in two special issues of the Journal of Agricultural Law under the overarching theme: Water and Agriculture. The papers will be discussed on the annual meeting of the Society for Agricultural Law on September 25, 2015:**

W.J. van Doorn-Hoekveld en F.A.G. Groothuijse, 'Schadevergoeding ten gevolge van bergingsgebieden: een juridisch labyrint', *Tijdschrift voor Agrarisch Recht* 2015, nr. 7/8, p. 358-366

A.A. Freriks en H.F.M.W. van Rijswijk, 'Programmatiese aanpak stikstof en programmatiese aanpak water: van tweeën een?' *Preadvies Vereniging voor Agrarisch Recht* 2015, nr. 9, p. 399-415.

A.M. Keessen en W. Ernst: *Omgaan met waterschaarste in een waterrijk land* (Preadvies, forthcoming in *Tijdschrift voor Agrarisch Recht*)

- **Members of UCWOSL participated in the second special issue of the Journal of Water Law:**

WATER LAW CROSSING BORDERS – NEW APPROACHES IN CLASSIC WATER LAW ISSUES ACROSS EUROPE, CHINA AND BEYOND. A collection based on China International Water Law (CIWL), Xiamen University Law School and UCWOSL, Utrecht University; Joint Workshop held at Xiamen University, Fujian, China 22 May 2014 'A legal perspective on sustainable water management in times of climate change: comparing international, European, Chinese and Dutch Water Law'. This special issue is the third product of the cooperation between Xiamen School of Law and UCWOSL (with contributions from Marleen van Rijswijk, Daphina Misiedjan, Otto Spijkers, Liping Dai, Andrea Keessen, Wouter Ernst, Berthy van den Broek, Ernst Plambeck and Sander van Hees).

- **H.K. Gilissen, C.J. Uittenbroek, H.F.M.W. van Rijswijk, H.L.P. Mees, P.P.J. Driessen en H.A.C. Runhaar, "De klimaatbestendigheid van de vitale infrastructuur beoordeeld vanuit juridisch-bestuurlijk perspectief – Over de verwachte effectiviteit van de verdeling van verantwoordelijkheden voor de beheersing van klimaatrisico's in de elektriciteits- en de internetsector", *NJB* 2015, afl. 25, pp. 1640-1648.**

Selection of passed activities

Please visit our [website](#) to read an extended report of the activities below.

- 4/9/15 Seline Trevisanut spoke at a Seminar on the Law of the Sea of the European Parliament
- 2/9/15 Presentation by Herman Kasper Gilissen at the EELF Conference in Aix-en-Provence
- 8-10/7/15 Barbara Beijen, Andrea Keessen and Ernst Plambeck visited and presented at the 22nd International Conference of Europeanists (organized by Council of European Studies)
- 6/7/15 PhD defense Liping Dai
- 1/7/15 Future Deltas symposium in Utrecht
- 29/6/15 Presentations by Marleen van Rijswijk and Andrea Keessen at IAHR conference
- 15/6/15 Presentation by Jiao Zhang (guest speaker) during monthly UCWOSL meeting
- 12/6/15 Expertmeeting on shale gas extraction (organized by Marleen van Rijswijk, Herman Kasper Gilissen and Julian Kevelam)
- 9/6/15 Jacana workshop (organized by Marleen van Rijswijk and Anoeska Buijze)
- 4-5/6/15 STAR-FLOOD Consortium Meeting Lulea (Marleen van Rijswijk, Herman Kasper Gilissen and Willemijn van Doorn-Hoekveld)
- 6/15 Tineke Lambooy and Aikaterini Argyrou presented at the conference 'Stimulating Business in a Europe in Crisis: Evolving Trends & the Case of Greece'
- 26/5/15 Herman Kasper Gilissen and Willemijn van Doorn-Hoekveld presented the STAR-FLOOD results at a Workshop on risk- and crisiscommunication organized by Grontmij
- 13-14/5/15 Presentations STAR-FLOOD results at the international ECCA conference in Copenhagen by Marleen van Rijswijk, Herman Kasper Gilissen and Willemijn van Doorn-Hoekveld
- 10-30/5/15 Otto Spijkers taught in China (Xiamen and Wuhan)
- 5/15 Richard Caddell presented a paper entitled "Climate Change and International Fisheries Law: The Emerging Regulation of New and Exploratory Fisheries" at the Nereus Program Annual Meeting

Forthcoming activities

- 4/12/15 Conference 'Waterbeheer in de Lage Landen, Implementatie van de Kaderrichtlijn water: alles in goede toestand?' (organized by UCWOSL and University of Gent in cooperation with Vereniging voor Milieurecht and Vlaamse Vereniging voor Omgevingsrecht)
- 13/12/15 UCWOSL joins forces with Rotary Bilthoven (Christmas benefit)
- 14/12/15 Seminar on [Extraterritoriality of Port State Jurisdiction](#) (organized by UNIJURIS/UCWOSL)

Contact

Website/newsletter:

Andrea Keessen
A.M.Keessen@uu.nl

Julian Kevelam
J.Kevelam@uu.nl

Research leader:

Marleen van Rijswijk
H.vanRijswijk@uu.nl

Secretary:

Christine den Das
c.dendas@uu.nl

Please visit our website at :
ucwosl.rebo.uu.nl

Utrecht Centre for Water, Oceans and Sustainability Law
Achter Sint Pieter 200
3512 HT Utrecht
wateroceansandsustainability@uu.nl

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