

**First public meeting of the Coalition for ICE - at Portcullis House,
London SW1 - spurs national and international
programme of events and meetings**

London, 20 April 2009 –

Debate at the Coalition for ICE's first meeting last week sponsored by Nigel Griffiths MP in London drew comments from environmentalists and NGOs and encouraged the Coalition's policy and campaigning groups to commence its 2009 programme of meetings and events.

A further meeting is planned for 26 May in London, to create a membership of environmentalists and lawyers and an administrative structure – possibly resulting in a company limited by guarantee that may become a registered charity undertaking test cases under English law.

Similarly, May will also see a meeting between founder members of the Coalition for ICE (International Court for the Environment) with the House of Commons' All-Party group on the Environment, hosted by Colin Challen MP.

Convened by Stephen Hockman QC - a Deputy High Court Judge and a former Chairman of the Bar Council - the meeting at Portcullis House at the end of April was addressed by a panel comprising

- Peter Luff, Chief Executive of EU-India environment group Action for a Global Climate Community, and a member of the World Federalist Movement's International Council, and
- London barrister Philip Riches, of Stone Chambers.

“Research undertaken in 2008 by a group of barristers in the UK showed that incidents of large-scale man-made damage to the environment have sufficient international repercussions - like global change itself - to warrant a standalone, globally-recognised court,” said Stephen Hockman.

“Our thoughts are largely modeled on those of the former President of the International Court of Justice, Sir Robert Jennings. As long ago as 1995 he pinpointed the importance of environmental law.

“Obviously we have much to discuss with NGOs, international lawyers and environmentalists and intend to form a specialist group of experts to investigate all issues and map a way forward. Our meeting - on 26 May - will be attended by experts and activists keen to make substantial progress.”

Papers written by Coalition barristers and delivered to a public gathering at the British Museum in late 2008 are available on request. “The papers form the backbone of the will to address many of the important environmental issues we now face. Global warming is compounded by the energy it takes to restore damaged ecosystems.

“In the view of the Coalition’s panel, solutions to the problems recently highlighted by luminaries such as Al Gore (*An Inconvenient Truth*), Lord Stern (*Blueprint for a Safer Earth*) and Lord Giddens (*Politics of Climate Change*) have to be legal, and institutional.

“Judgments by the International Court for the Environment we are sure will lead to positive outcomes, altering the kinds of approach that lead to negligence in Bhopal and Chernobyl for example, and shipping disasters in the UK such as Torrey Canyon,” added Mr Hockman.

“ICE would serve the victims of physical damage to the environment by adjudicating the terms of recompense and the steps needed to restore ecosystems,” he said. “It is important that there is access to justice for all.”

Peter Luff added: “A coalition of 2,500 NGOs came together to back the formation of ICC, the International Criminal Court - a path of action it is possible our own Coalition will take.

“We are still at the very early stage of talking to as many people as possible in the UK, before talking to people internationally,” he added. “With a significant UN Climate Change Conference in Copenhagen taking place this December we have detected strong support for the concept of ICE and we plan to promote this Coalition – the platform for ICE – with great enthusiasm, consulting a wide range of organisations and individuals. Reports on our activities will be available.”

Philip Riches, barrister at London’s Stone Chambers, said: “Uppermost in our minds is the need to find a relevant case which can be tested under English law and appropriately “interpreted” to reflect the mandates of UN environmental treaties.

“The ICE would sit above and adjudicate on disputes arising out of UN environmental treaties such as the UN Convention on Biological Diversity 1992 and the UN Framework Convention on Climate Change 1992, employing the law in those treaties and in customary international law.

“The aim is for ICE to incorporate all of the work of the existing tribunals under the existing UN environment treaties (including the Kyoto Protocol Enforcement Branch).

“Ultimately, it should be the sole court dealing with UN environmental law,” said Mr Riches.

“The Coalition intends to fundraise, to assist the establishment of test cases and the publication of reports on how their findings can be transcribed.” A draft policy summary can be found below.

Among points raised by attendees were:

- potential conflict with WTO’s obligatory mandate for restriction-free trade
- the importance of regionality (ie: ICE to be supreme over new environmental courts set-up on each continent)
- the need for closer liaison with the ICF group of academics and lawyers in Rome
- the need for a conference or seminar of international academics
- the potential for ICE to “adopt” a city such as Aarhus or Hamburg which would be its “champion”
- legislation in the UK (such as the Marine Bill) which has not been scrutinised by lawyers
- the necessity for the Coalition for ICE to have a steering committee
- the EU Court may assist ICE’s intention to secure access to justice
- a “top-down” approach by ICE may be best
- ICE as an interpreter of international legal obligations; a body of respected senior jurists
- wary of imposing sanctions.