

RULE OF LAW, GOVERNANCE AND NATURAL RESOURCES

WORKSHOP JANUARY 22 & 23, 2015 at the UNIVERSITY OF AMSTERDAM

*An activity of the
Network on Development, Natural Resources and International Law*
<http://www2.warwick.ac.uk/fac/soc/law/research/centres/ilnrds/>

Organized by:
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<https://www.uantwerpen.be/en/rg/law-and-development/research-mission-and/members/>

Concept Note and Call for Proposals

The importance of natural resources for developing countries is widely acknowledged. It is also widely acknowledged that developing countries rarely receive adequate financial and economic returns for the natural resources extracted from their territories. Moreover, the exploitation of natural resources in developing countries is generally associated with negative social and environmental consequences. Thus, today, many regard the abundance of natural resources as a curse, which often has profoundly negative effects on the efficient operation of national legal systems and on the quality domestic regulatory structures. The resource curse is also generally regarded as one of the main causes of inter-state and intra-state conflicts. Paradoxically, but unsurprisingly, the groups that are most affected by the negative consequences of the exploitation of natural resources are those living in the regions where the resources are extracted.

The numerous problems associated with the exploitation of natural resources in developing countries have prompted a variety of responses from activists and policy-makers, development agencies, inter-governmental organizations and transnational corporations. In different ways, all these groups and organizations aim to improve the current situation by introducing legal reforms that will strengthen and improve domestic and international systems of governance and regulation.

The objective of this Workshop is to identify, examine and assess the nature and impact of the variety of legal and governance initiatives aimed at improving natural resource regimes in developing countries. Participants are therefore invited to submit papers on any of the following general questions and themes:

- What are the linkages between rule of law reform and improvements in natural resource regimes?
- Do social and global justice theories provide helpful insights on how to design more effective natural resource regimes?
- Has the current international concern about the environment and climate change contributed to the design of better legal structures in the area of natural resources?
- Do the international legal rules governing the exploitation of natural resources contribute towards improving the rule of law and governance of natural resources regimes?
- What policies or activities by multinational corporations support/or undermine natural resource regimes in developing countries?
- What is the link between lawlessness and the abundance of natural resources?
- What is the role of development and international organizations (World Bank, IMF, ILO, WTO) in furthering better legal and governance regimes for natural resources?
- What type of institutions and processes can be used to improve economic and social conditions in resource-rich developing countries?
- How does the extension of rights and social empowerment of local communities contribute to improved natural resource management?
- Are there case studies that provide helpful lessons to policy-makers on how to improve legal and governance regulation in the area of natural resources?
- Do fragile states require special regimes to ensure their natural resources are duly protected from predators, rogue investors and corrupt elites?
- Are there any home-grown regional initiatives that have proved effective for the development of sound legal and governance regimes in the area of natural resources?
- Has domestic litigation involving natural resources made a contribution towards bringing about changes in legal and governance regimes?
- Have states and development agencies neglected the role of common property regimes over natural resources as devices to secure improvements in growth and development?

The two-day workshop will be open to approximately 30 participants.

If you are interested in participating, please send an abstract (300-500 words) of your paper before **31 August 2014**. Proposals will be evaluated by the organizers, Julio Faundez (Warwick), Koen de Feyter (Antwerp), Ronald Janse (Amsterdam) and Celine Tan (Warwick). Decisions on paper proposals will be made by 17 September 2014.

The deadline of the draft paper (approximately 5000-8000 words, excluding notes) is December 1, 2014.

The workshop will pay for accommodation (two nights) and meals of those who submit their paper before December 2, 2014. There is limited budget to cover travel costs of participants from developing countries.

We welcome papers from academics, NGOs and representatives from the public and private sector.

The organizers plan to publish (a selection of) the papers in an edited volume and/or a special issue of the *Hague Journal on the Rule of Law*.

For further inquiries and sending abstracts, contact Ronald Janse: r.janse@uva.nl