

INTERNATIONAL FOCUS PROGRAMME OUTLINE

LAW & SUSTAINABILITY



elsa

The European Law Students' Association

OUTLINE FOR THE IFP ON LAW & SUSTAINABILITY

ELSA INTERNATIONAL 2022/2025

FOREWORD

Dear Network,

We are proud to present the Outline on the International Focus Programme (IFP) on Law and Sustainability for the period from the 1st of August 2022 to the 31st of July 2025.

The aim of this Outline is to create an organiser's overview and an implementation guide for the ELSA Network while providing information to engage ELSA members in one of the most interesting concepts ELSA has in store.

For the last 25 years, ELSA has strived to unite the Network under different IFP topics with one common goal – to impact the society we live in. We hope to keep the tradition of standing united under one common theme while constantly improving the different ways in which we affect the lives of law students, young lawyers and civil society.

It is up to the law students and young lawyers of today to create the legal framework of tomorrow which will help make this world a better place. At a time of sustainability affecting every single aspect of our lives, ELSA cannot stand ignorant of the impact technological developments have. Therefore, it is the aim of this IFP to reassert the goals of ELSA and connect them to the dynamic and ever-changing world of sustainability.

We hope you will find this handbook helpful! Best wishes,

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I. INTRODUCTION

This Outline will firstly describe the IFP and secondly provide a definition of the IFP on Law and Sustainability. This will be followed by a guide as to how to implement the IFP on Law and Sustainability as well as a guide on how to gain external support. Furthermore, it provided a short description of the first subtopic dedicated to “Sustainable Consumption and Production”.

II. WHAT IS THE INTERNATIONAL FOCUS PROGRAMME?

2.1 Definition of the International Focus Programme

The IFP was adopted in 1995 with the aim of raising awareness on a specific theme for the ELSA Network during a fixed period of time. In this way, ELSA creates a forum where law students and young lawyers can combine their efforts, discuss and participate in various activities on a topical area of law. Furthermore, the IFP consolidates the work and achievements of all ELSA groups and gives law students an opportunity to raise opinions and ideas.

The IFP topic is chosen by the International Council of ELSA and should be versatile, internationally relevant, academically interesting and impact civil society. When implemented consistently throughout the Network, the IFP can impact the general opinion and mindset of law students and young lawyers. In short, with the IFP, ELSA can have an impact on students, young lawyers and civil society.

The main objectives of the IFP are to

- Make use of the unique ELSA Network to create awareness amongst today’s law students and young lawyers;
- Create a forum where law students and young lawyers can gather and discuss a contemporary theme;
- Use the ELSA Network in a programme that directly involves Local and National Groups in similar activities;
- Set out a common goal for all members to work towards;
- Give law students and young lawyers all over Europe a voice by gathering their diverse opinions and ideas on a set topic;
- Contribute to ELSA’s vision: “A just world in which there is respect for human dignity and cultural diversity”.

Historically, the IFP has been concluded with an international conference and/or publication. With the IFP on Law and Sustainability, ELSA International intends to publish a Final Report and Video. Encapsulating the efforts of the Network in implementing the IFP, the impact the Network has made on law students and young lawyers, and the change created in society.

2.2 History of the International Focus Programme

Since its introduction, the IFP has touched upon the following topics:

- “A Just World: A new role for lawyers, legal education and law in development” (1995 – 1997)
- “The Law of Peace in the Year 2000 – current violations and effective enforcement of international law; the reform of international organisations” (1997 – 1999)
- “Information Society – the Legal Challenges: Application of New Technologies, Protection of Individuals and the Legislative Response.” (2000 – 2002)
- “Trade Law – a Way for Sustainable Development” (2003 – 2005)

- “25 Years of Legal Development” (2006 – 2007)
- “Intellectual Property Law” (2007 – 2010)
- “Health Law” (2010 – 2013)
- “Media Law” (2013 – 2016)
- “Environmental Law” (2016 – 2019)
- “Law and Technology” (2019-2022)

2.3 Decision Book and Strategic Goals 2019-2023

The IFP is regulated in the General Part of the International Council Meeting Decision Book of ELSA. The Decision Book sets out the aim of the IFP, the implementation plan of the IFP, the responsibilities of ELSA International, National Groups and Local Groups towards IFP implementation, and the IFP topic.

The IFP is furthermore mentioned in the Strategic Goal regarding “A Living Vision”. As part of strengthening ELSA’s identity, ELSA shall create a strategic plan to increase awareness and knowledge of the IFP.

III. WHAT IS “LAW AND SUSTAINABILITY”?

*The ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs.*¹

Sustainability has become a core element of today’s society. It takes its origin from the concept of equity between the old and future generations, but also between people of the same generation. Sustainability is the concept that defines the capacity of organisations or society to pursue its activities taking into consideration the related environmental, social, and human impact².

The last five decades have seen a proliferation of legal instruments related to sustainability, ranging from the [Agenda 2030](#), over treaties and national legislation to constitutional provisions.

The conversation is no longer just about the environment, though. It is no longer limited to being eco, “trendy” or switching to paper straws - it is about taking actions to assure equity in opportunities for everyone; saving our future through concrete laws and policies. The difference between sustainable development from the terminology of “environmental protection”, which emerged conceptually before it, is that it puts the “integration” and “relation” between intergenerational justice (environmental protection) and intragenerational justice (social and economic development/development) at the centre of law.

Indeed, to understand the true meaning of sustainability, we must be considering it in its three key dimensions, whose development is interdependent:

(E) Environmental: Is the dimension related to all the actions that regard the environmental safeguards;

(S) Social: Is the dimension related to the activities aimed at enhancing people;

(G) Governance: Is the dimension concerned with the valorisation of the decision-making processes;

According to the [World Economic Forum Global Risks Perception Survey 2022](#), the top 5 annual global risks are Climate action failure, Extreme weather, Biodiversity loss, Social cohesion erosion and Livelihood crises.

Both the environmental and social aspects of Sustainabilities need to be studied and implemented together, considering their relations and how environmental policies affect people and how the environment can promote social diversity and inclusion.

¹ United Nations Brundtland Commission, “*Our Common Future*”, 1987;

² AccountAbility 1999, Institute of Social and Ethical Accountability;

3.1 Definition

“Law and Sustainability” is not a set area of law. Rather, this topic seeks to explore (1) how Sustainable Development may affect law and (2) how law and regulation may promote the realisation of the full potential of the [17 Sustainable Development Goals](#) (SDGs).

The topic of Law and Sustainability is wide and encompasses all aspects of law necessary to properly analyse the challenges and opportunities posed by pursuing Sustainability. Young lawyers are ready to take an interest also in subjects that are partly outside the world of law, they are able to respond to the challenges of the future and have an elastic and proactive mind.

3.2 Regulatory developments

The following chart lists some important binding and non-binding decisions by supranational organisations. They reflect the regulatory developments on matters where Law and Sustainability interact.

ELSA International highly encourages you to thoroughly examine whether the following acts apply or have been incorporated into the national legislation of your National Group and further discover the regulatory framework applicable in your national legal order.

Date of Introduction:	Act:
1987	Brundtland Report "Our Common Future" : Gave the first Definition of “Sustainability”.
1992	Agenda 2021: United Nations Conference on Environment & Development, Rio de Janeiro
1993	5 EU Action Programme Towards Sustainability
2001	GREEN PAPER Promoting a European framework for Corporate Social Responsibility
2011	COM(2011)681 - Renewed EU strategy 2011-14 for Corporate Social Responsibility
2014	EU Directive on disclosure of non-financial and diversity information
2014	Directive 2014/24 - Public procurement
2015	2015 : Resolution A/RES/70/1: Agenda 2030 for Sustainable Development

2019	The European Green Deal
2020	Next Generation EU
2021	Sustainable Finance Disclosure Regulation (SFDR)
For any further information	EU Policies and the SDGs : table that lists all EU policies and their relation to the SDGs at the Goal level. By clicking on one or more SDG symbols, the table can be filtered by different Goals. The total number of detected Goals can also be sorted.

3.3 Potential core topics and/or sub-topics

3.3.1 Environmental, Social, and Governance Factors

ESG factors constitute a framework that helps stakeholders understand how an organization is managing risks and opportunities related to environmental, social and governance criteria. These factors were born in the economic/financing field to point out risks and opportunities related to environmental, social, and governance aspects. ESG today is broadly thought of as a reporting framework developed for evaluating the sustainability related disclosure of listed companies for investors. Now with demand for ESG related information on the rise, the ESG framework has become synonymous with reporting.

New environmental, social and governance reporting requirements in the European Union are set to fundamentally change the nonfinancial reporting landscape. Because of that developing the subject means to prepare law students on reporting issues related to sustainability in order to give new and different services to companies and corporations.

Source:

- [Kyle Peterdy, Reviewed by Noah Miller, ESG \(Environmental, Social and Governance\) - A management and analysis framework to understand and measure how sustainably an organization is operating;](#)
- [What is ESG? ESG Explained | Article series exploring ESG from the very basics](#)

3.3.2 Corporate Social Responsibility

Corporate social responsibility (CSR) refers to the efforts made by a company to improve society and contribute towards sustainable development. Also known as corporate conscience or corporate citizenship, CSR describes initiatives run by a business to evaluate and take responsibility for their impact on a number of issues ranging from human rights to the environment. Corporate social responsibility is a type of self-regulatory business plan, with initiatives focusing on achieving economic, social, and environmental benefits for all stakeholders involved (employees, consumers, investors, and other groups).

Corporate Social Responsibility (CSR) has become a well-known concept over the last decade. Employees, government representatives, academic scholars, NGOs, and international organisations have been contemplating which role they have to play in regard to CSR. Laws have been drafted that promote socially responsible behaviour by companies. International organisations have promoted principles. Companies have

adopted CSR mission statements and programmes, and are sharing their efforts through sustainability reports.

CSR is a subject that has links with many areas of law, including international law and European law, corporate law and corporate governance, tort law and contract law, procedural law, labour and environmental law, and criminal law.

Source: [Corporate social responsibility \(CSR\) and its implementation into EU Company law, Study of the European Parliament's Committee on Legal Affairs](#)

3.3.3 Blue Economy and Water Safeguard

“Blue economy” is an economic term linked to exploitation and conservation of the maritime environment and is sometimes used as a synonym for “sustainable ocean-based economy”. There is however no consensus on the exact definition and the field of application depends on the organisation that uses it. The UN first introduced the “blue economy” at a conference in 2012 and underlined sustainable management, based on the argument that marine ecosystems are more productive when they are healthy. This is backed up by scientific findings, showing that the earth’s resources are limited and that greenhouse gases are damaging the planet. Furthermore, pollution, unsustainable fishing, habitat destruction, etc. harm marine life and are increasing day by day.

Source: [Blue Economy - oceans as the next great economic frontier](#)

3.3.4 Fashion Law

The fashion industry is intrinsically evolving as the most coveted patterns and textures ebb with the tide of public opinion. While these shifts occur, the physical materials that infuse excitement on red carpets and in closets around the globe often are overproduced and subsequently wasted. A similarly unglamorous subject within the industry is the global labour force that grows, harvests, and fabricates clothing materials while enduring poor working conditions, low or unlivable wages, and loss of arable land within their communities. State and federal lawmakers have introduced legislation aiming to enforce corporate accountability and increase sustainability within fashion. We discuss three of the existing and potential regulatory and enforcement mechanisms affecting the fashion industry in the U.S. and their implications for companies in terms of disclosure, public-facing agenda or reputation, due diligence criteria, civil liability, and potential penalty exposure.

Source: [Sustainability is the new black: ESG in Fashion](#)

3.3.5 Sustainable Tourism

Sustainable Tourism refers to sustainable practices in and by the tourism industry. It is an aspiration to acknowledge all impacts of tourism, both positive and negative. It aims to minimise the negative impacts and maximise the positive ones.

Sustainable tourism is defined by the UN Environment Program and UN World Tourism Organization as “tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment, and host communities.” Additionally, they say that sustainable tourism “refers to the environmental, economic, and socio-cultural aspects of tourism development, and a suitable balance must be established between these three dimensions to guarantee its long-term sustainability”.

Source: [What is sustainable tourism](#)

3.3.6 Energy Law

In the most recent years, the search for green energy has become an even more urgent need. The necessity to change the ways in which energy is obtained is apparent to virtually every citizen of the European Union. However, the attempt to introduce the Green Deal goals showed us just how difficult it is to achieve them. As young law students, we cannot pass by indifferently upon that matter and it is crucial that we introduce activities that could possibly raise awareness as part of the wide range of solutions in which we can transform the EU into a modern, competitive, and resource-efficient economical environment. Choosing this topic as the new IFP topic could be a way to promote ELSA as a pioneer educational organisation, actively responding to the most important matters in today's world due to the fact that energy law is still relatively new and was deemed an "Emerging Academic Discipline". With this topic, we have the opportunity to focus on the way that energy transformation can be facilitated from a legal standpoint and how the process can be understood better by citizens.

3.3.7 Digitalisation for Sustainable Development

Sustainability is most often associated with the environment. The general meaning, however, can be applied to other issues as well. In the UN's Sustainable Development Goals, for instance, several goals for societal sustainability are outlined.

At DIGITAL SME, we propose a new application for the term: sustainable digitalisation. Also known as sustainable digital transformation, the concept refers to the process of digitalising the economy in a long-lasting, green, and organic way. Sustainable digitalisation aims to support and enable Europe's twin transitions to a green and digital economy by building on its key strength: innovative SMEs and their business ecosystems.

In the long term, the goal of sustainable digitalisation is to strengthen European digital sovereignty.

As with all matters of sustainability, the issue is simple in theory but complex in practice. We believe that sustainable digitalisation fundamentally rests on three pillars:

- Sustainable B2B digitalisation
- Green(er) technologies and a circular economy
- An innovation-enabling policy- and regulatory framework

Source: [What is Sustainable Digitalisation](#)

3.3.8 Financing for Sustainable Social Development

The Financing for the Development process is centred around supporting the follow-up to the agreements and commitments reached during the three major international conferences on Financing for Development: in Monterrey, Mexico in 2002; in Doha, Qatar in 2008; and in Addis Ababa, Ethiopia in 2015. The process also follows up on the financing for development-related aspects of the outcomes of major United Nations conferences and summits in the economic and social fields, including the 2030 Agenda and the Sustainable Development Goals (SDGs).

The Addis Agenda provides a new global framework for financing sustainable development, which supports implementation of the 2030 Agenda, including the SDGs. The Agenda aligns all domestic and international resource flows, policies and international agreements with economic, social and environmental priorities. It incorporates all the SDG means of implementation targets into a comprehensive financing framework, and serves as a guide for further actions by governments, international organisations, the business sector, civil society, and philanthropists.

The specific action areas of the Addis Agenda are:

- Domestic public resources;
- Domestic and international private business and finance;
- International development cooperation;
- International trade as an engine for development;
- Debt and debt sustainability;
- Addressing systemic issues;
- Science, technology, innovation and capacity building.

Source: [Financing for Development](#)

3.3.9 Employment, decent work for all and social protection

The key role of decent work for all in achieving sustainable development is highlighted by Sustainable Development Goal 8 which aims to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

Decent work, employment creation, social protection, rights at work, and social dialogue represent integral elements of the new 2030 Agenda for Sustainable Development. Furthermore, crucial aspects of decent work are broadly rooted in the targets of many of the other 16 goals.

The global challenge of youth employment is also recalled by the Plan of Implementation of the World Summit on Sustainable Development adopted in Johannesburg in 2002. Among the concerted and concrete measures required for enabling developing countries to achieve their sustainable development goals, JPOI highlights the importance of providing assistance to increase income-generating employment opportunities, taking into account the Declaration on Fundamental Principles and Rights at Work of the International Labour Organization. Chapter 3 of Agenda 21 identifies the need to strengthen employment and income-generating programmes as tools to eradicate poverty. The Agenda also invites governments to establish measures able to directly or indirectly generate remunerative employment and productive occupational opportunities compatible with country-specific factor endowments, on a scale sufficient to take care of prospective increases in the labour force and to cover backlogs.

Furthermore, the Agenda reiterates, in different sections, the need of generating employment for vulnerable groups, specifically women, urban poor, unemployed rural labour as well as low-income urban residents.

Source: [Employment, decent work for all and social protection](#)

3.3.10 Sustainable Public Procurement

Sustainable Public Procurement (SPP) is a process by which public authorities seek to achieve the appropriate balance between the three pillars of sustainable development - economic, social and environmental - when procuring goods, services or works at all stages of the project.

Many public authorities in the EU are implementing GPP as part of a broader approach to sustainability in their purchasing, which also addresses economic and social aspects.

Source: [Green and Sustainable Public Procurement](#)

3.3.11 The role of Institutions in the implementation of SDGs

Effective, accountable and inclusive institutions are essential to achieving the Sustainable Development Goals (SDGs). This is recognized by SDG 16 and the 2030 Agenda for Sustainable Development. The Agenda also recognized that governments have the primary responsibility for implementing the SDGs and ensuring follow-up and review over the coming 15 years, at the national, regional and global levels. One of the first steps governments take to implement the Agenda is often to shape the institutional arrangements for steering the implementation of the SDGs and reviewing progress.

Public administration - the cornerstone of a government's work- plays an essential and critical role in improving people's lives. Reinventing public administration is a positive and necessary way forward. Without public administration modernization and transformation to adapt to today's needs, realising a better future for all will be impossible. Where capable administrations are lacking, governments are incapacitated; and where governments are incapacitated, sustainable development falls short.

This vision will guide the work of our division. It will assist countries in readying their institutions and public administrations for realising the SDGs and in making those effective, transparent, accountable and inclusive. The division delivers this work through conducting analytical work and research, supporting the Committee of Experts on Public Administration and building capacities of countries who request it.

Source: [Public Institutions for SDGs](#)

3.4 Interaction with other areas of Law

3.4.1 Human rights

Human rights are an essential to ELSA being a core part of ELSA's philosophy statement. In ELSA, human rights are understood as those provided under the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms¹⁴ as well as those provided under national laws.

Human rights create conditions essential for sustainable development. The 2030 Agenda recognizes that inclusive and participative economies, and societies in which the government is liable, achieve better effects for all people, leaving no one behind. The Declaration on the Right to Development emphasises the right of all individualities and peoples to free, active and meaningful participation. And the UN Guiding Principles on Business and Human Rights (UNGPs) set out the duty of states and private companies to ensure that business conditioning doesn't abuse people's rights.

Civil, cultural, economic, political and social rights and the right to development figure on each other and advance together. No matter how free individualities are to speak out and kick, they aren't truly free if they warrant food, education or acceptable casing. The reverse is also true. Societies in which people have access to abecedarian social protections, and profitable coffers and openings, are less vulnerable to social fracture and the spread of unreasonableness.

Despite this, profitable programs in numerous countries have elided social protection and concentrated wealth and political power in smaller and smaller hands. Unsustainable, extravagant growth patterns increase environmental declination and accelerate climate change, generating goods that harm health, access to water and sanitation, food, casing and land rights, and jeopardizes life. The poorest, who contribute least to climate change, pay the loftiest price.

Related SDGs: Goal 1 - No Poverty; Goal 2 - Zero Hunger; Goal 4 - Quality Educations; Goal 5 - Gender

Equality; Goal 16 - Peace, Justice and Strong Institutions.

Source: [OHCHR](#)

3.4.2 Constitutional Law

We acknowledge also the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments.³

In the last decades, within several Constitutions were introduced respective sustainability-related articles or dispositions. This subject is crucial in order to study how parliaments and institutions can afford sustainability issues, both from the perspective of the constitutions' legislative procedure and the parliament's decision making processes, also through a comparative study of constitutional provisions around the world.

The 2030 Agenda recognizes the cardinal roles of parliamentarians in ensuring political buy-in, financing and accountability to the Sustainable Development Goals (SDGs). Above all, it calls for early and meaningful engagement of parliamentarians in national efforts to translate the global agenda into practice. As national processes for the implementation of the SDGs are being put in place, it is important to ensure that parliaments play their rightful role in giving political impetus towards localising, implementing and monitoring progress on the SDGs. Legislatures will be essential actors in law-making. Implementation of the SDGs will require countries to utilise a wide range of policy and programme approaches. In most cases, to allow for more effective programmes, the parliament must adopt or revise the legal framework. The law-making role will also require parliaments to adopt legislation which directly supports the various SDGs. Additionally, recognising that the annual state budget is also enacted as law of parliament, the law-making function of parliaments takes on an additional critical importance in terms of ensuring that funds are effectively directed towards addressing the most important national SDG priorities.

Related SDG: Goal 16 - Peace, Justice and Strong Institutions.

3.4.3 Health Law

A vision for an environmentally sustainable health system is put forth, as being a health system that improves, maintains or restores health, while minimising negative impacts on the environment and leveraging opportunities to restore and improve it, to the benefit of the health and well-being of current and future generations.

Ten avenues for action are proposed that can form the core of a strategy for fostering environmental sustainability in health systems, namely

- adopting a national environmental sustainability policy for health systems;
- minimising and adequately managing waste and hazardous chemicals;
- promoting an efficient management of resources;
- promoting sustainable procurement;
- reducing health systems' emissions of greenhouse gases and air pollution;
- prioritising disease prevention, health promotion and public health services;
- engaging the health workforce as an agent of sustainability;
- increasing community resilience and promoting local assets;
- creating incentives for change; and
- promoting innovative models of care.

³ Para 45, General Assembly Res 70/1 - Transforming our world: the 2030 Agenda for Sustainable Development

Related SDG: Goal 3 - Good Health and Well-Being.

Source: [World Health Organization: Environmentally sustainable health systems: a strategic document](#)

3.4.4 Commercial Law

The European Union, frequently seen as the international pace-setter in ESG regulation, is currently making some decisive changes to its regulatory framework. As readers of this Forum will know, the EU had started a sustainable corporate governance initiative back in 2020. This initiative aims to improve the EU regulatory framework on company law and corporate governance. It would enable companies to focus on long-term sustainable value creation rather than short-term benefits. It aims to better align the interests of companies, their shareholders, managers, stakeholders and society. It would help companies to better manage sustainability-related matters in their own operations and value chains as regards social and human rights, climate change, environment, etc.

Related SDGs: Goal 8 - Decent work and economic growth; Goal 12 - Sustainable Consumption and production;

3.4.5 Labour Law

The 2030 Agenda Preamble, Declaration, Goals and Targets contain many references to human rights. Among them are two of particular importance to the world of work, SDG target 8.8: “protect labour rights of all workers, including migrant workers, particularly women migrants, and those in precarious employment” and target 16.3 “promote the rule of law at the national and international levels, and ensure equal access to justice for all”.

For the ILO, being a standard-setting organisation, the development, promotion and supervision of international labour standards is at the core of its mandate. Labour standards cover a broad range of subjects related to the world of work, and every aspect of the Decent Work Agenda. The promotion of relevant labour standards is a work item under each of the ten policy outcomes; of those, four outcomes, namely PO 2 (labour standards), PO 7 (compliance), PO 8 (unacceptable forms of work) and PO 10 (workers and employers) are particularly concerned with the application of standards in general, not focusing on a specific convention or recommendation. The application of standards, in particular the design of an appropriate review mechanism and of an authoritative supervisory system, is the subject of the Office’s “Standards Initiative”, which is one of the seven Centenary Initiatives.

Related SDGs: Goal 1 - No Poverty; Goal 5 - Gender Equality; Goal 8 - Decent work and economic growth; Goal 10 - Reduced Inequalities.

Source: [International Labour Organization: Decent work for sustainable development - Labour Standards.](#)

3.4.6 Administrative Law

Public institutions have a critical role in ensuring the successful implementation of all SDGs and targets. Not only do governments have primary responsibility for policy-making and delivering basic services for all, but they also often pioneer research and technology of critical importance for improving people’s lives while mitigating risks such as climate change and responding to shocks. Legislation, public policies and public services should actively contribute to improving the situations of the poorest and most vulnerable. Ensuring that no one is left behind requires a coherent and integrated strategy consistent with national and sustainable development strategies.

It is important that the highest levels of Government express their strong commitment and determination to leave no one behind and undertake sustained efforts to ensure that this principle pervades the work of all public institutions at all levels. Leaving no one behind should be embedded in efforts to implement the 2030 Agenda from the outset.

Besides national governments, local authorities are well placed to understand and respond to the needs of the poorest and most vulnerable and have a particular role in ensuring that no one is left behind.

Governments, parliaments and the judiciary should enhance efforts to ensure that public administrations are held accountable for the impact of their work including on the poorest and most vulnerable. Accountability mechanisms need to be inclusive and to engage all segments of the population. Independent audit institutions can help review implementation. Governments must take the lead in defining national targets and baseline data. This information needs to be published for effective and inclusive review of SDG implementation.

Related SDGs: Goal 8 - Decent work and economic growth; Goal 12 - Sustainable Consumption and Production; Goal 16 - Peace, Justice and Strong Institutions.

Source: [Committee of Experts on Public Administration. Challenges for institutions in ensuring that no one is left behind.](#)

3.4.7 Environmental and Food Law

Climate change is considered a driver for environmental sustainability actions in the food system, despite the lack of a comprehensive environmental policy framework and the absence of specific regulations in the food domain. According to EFSA, while a broad range of studies and reports examined the impact of climate change on food security, few scientific research and public policies have focused on food safety and nutritional quality.

To respond to the challenges of sustainability, over the last few years, a wide array of visions and actionable policies have been developed based on the principles of the triple bottom line (TBL). TBL focuses on economic development, environmental protection, and social equity. Environmental measures – aimed at fighting climate change – are not, however, included in a comprehensive legal framework. Given this context, what is the EU law doing to take on the challenge of climate change in the food sector?

Within the EU legal framework, sustainability is mentioned among the objectives of the EU in the art. 3 of the Treaty of European Union (TEU), which specifies that ‘the Union [...] shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection an improvement of the quality of environment’. Moreover, art. 114 (3) of the Treaty of Functioning of the European Union (TFEU) provides that the Commission will take ‘a high level of protection in the proposals regarding harmonisation of law concerning health, safety, environmental protection and consumer protection. In the food domain, the General Food Law (Regulation (EU) No 178/2002) commands to adopt the precautionary principle (art. 7) and specifies in art. 5 that one of its objectives is to protect ‘animal health and welfare, plant health and the environment’.

Nevertheless, even if sustainable development and environmental protection are mentioned in Treaty articles and regulations, they are considered in general terms and the regulatory measures addressing the issue are limited.

Related SDGs: Goal 2 - Zero Hunger; Goal 6 - Clean Water and Sanitation; Goal 7 - Affordable and Clean

Energy; Goal 13 - Climate Action; Goal 14 - Life below Water; Goal 15 - Life on land.

Source: [Climate change, food law and policy in the 'period of consequences'](#)

3.4.8 Consumer Law

Consumer rights are central to achieving sustainable development, because, as elucidated by Consumers International, these rights contribute towards a fairer, safer, and healthier society and a more equitable and efficient economy. Global attention has increasingly been focused on sustainable development and sustainable production and consumption. Since the early 1980's there is a clear series of milestones as global consensus emerged on the need for sustainable consumption and production to be recognised as a critical dimension of sustainable development, and how sustainability started to become incorporated into consumer protection policies, as one policy instrument to assist in this quest to achieve more sustainable consumption and production patterns.

At the contractual stage, several instruments of EU consumer protection legislation have an impact on the sustainability of consumption and on the lifetime of products. These instruments include the new Directive (EU) 2019/771 on the sale of goods ('Sale of Goods Directive 2019') and the CRD, as recently amended. It is suggested that these instruments do not currently sufficiently stimulate sustainable consumption in general (in particularly sustainable e-commerce) and the 'hierarchy of consumption behaviour in the circular economy'. For services, a comprehensive EU legal framework determining the rights of the consumer is currently missing.

Related SDGs: Goal 9 - Industry, Innovation, and Infrastructure; Goal 12 Sustainable Consumption and Production.

Sources: [Consumer Law and Sustainability: The Work of the United Nations](#); [Sustainable Consumption and Consumer Protection Legislation](#);

3.5 Sources for further reading

Books:

- [The Limits to Growth - Donella Meadows Institute](#): The earth's interlocking resources – the global system of nature in which we all live – probably cannot support present rates of economic and population growth much beyond the year 2100, if that long, even with advanced Sustainability. In the summer of 1970, an international team of researchers at the Massachusetts Institute of Technology began a study of the implications of continued worldwide growth ([Club of Rome Website](#))
- [The Law of Sustainable Development](#)

Web Contents:

- [BUSINESS, HUMAN RIGHTS AND THE SUSTAINABLE DEVELOPMENT GOALS FORGING A COHERENT VISION AND STRATEGY](#);
- [Green, Blue, Pink, and Social Corporate Washing](#);
- [ESG and Climate change to watch for 2023](#)

IV. IMPLEMENTING THE IFP ON LAW AND SUSTAINABILITY

4.1 The cycle explained

The topic on Law and Sustainability would be implemented throughout the IFP cycle, which is a three-year campaign, from the 1st of January 2020 to the 31st of July 2022. The topic of each year is announced to the

ELSA Network, during the spring International Council Meeting.

Year 1: Sustainable Consumption and Production

Sustainable consumption and production means promoting a more efficient use of resources and energy via technical and theoretical assistance, including the law field.

It is considered one of the three overarching objectives (and an essential requirement) of the 2030 Agenda for Sustainable Development. The importance of this goal and his focus on essential services other than dignified and environmentally friendly jobs, this subject will have strong implications from the legal point of view and direct repercussions on various fields of law all over the world.

Sustainable consumption and production have a self-explanatory impact. Until recently, environmental laws have focused on the reduction of pollution and waste. These laws have largely ignored the ultimate cause of that pollution and waste is the unsustainable consumption of goods and resources. However, at the 1992 Earth Summit the international community acknowledged the necessity of achieving levels of sustainable consumption in order to stop the continuing degradation of the global environment. It would be limiting to just focus on the natural ecosystem, in this case we have the *opportunity* to go deeper and think about the so called *business ecosystem*, which defines the entire life-cycle of a product, not only the supply chain but all the subjects involved.

Possible Core topics on Sustainable Consumption and Production: see paragraphs within the outline n. [3.3.1](#) - [3.3.2](#) - [3.3.3](#) - [3.3.4](#) - [3.3.5](#) - [3.3.6](#) - [3.3.10](#)

4.1.1 National Groups

The IFP concerns the Local Groups first and foremost, yet the Local Groups are sometimes unaware of its existence. Thus, National Groups of ELSA are responsible for awareness-raising about the IFP topic and ensuring that the IFP is implemented appropriately by coordinating the actions within their respective national network.

National Groups can engage the Local Groups by inter alia organising training events on the IFP providing the necessary basic understanding of the topic, running an internal IFP competition (for the best IFP event), and other initiatives keeping them updated throughout the year.

Each National Group should create its IFP implementation strategy, i.e. a guideline for the National Network of a specific duration (1-3 years) in order to inspire Local Groups. Furthermore, National Groups are responsible for securing national IFP partners.

4.1.2 Local Groups

Local Groups have direct contact with members and civil society, hence, they perform the most important part of IFP implementation. It is the responsibility of the local officers to organise events on the IFP topic through their Key Area activities by engaging with civil society. Local Groups may also seek local partnerships with relevant associations, firms, and even other societies as their university.

4.2 Law and Sustainability Events

Law and Sustainability can be implanted into almost all Areas of ELSA as outlined below. Events unique to the

topic could be:

- *Client Interview Competitions*, where the parties involved are companies that have to implement their policies in terms of sustainability; The role of the lawyer as counsel on issues such as sustainability is still not very well known and recognised, and this might be a great opportunity for young lawyers to put themselves to the test.
- *Open Legislation*, which can regard issues such as the implementation in constitutional texts and international treaties of regulations related to sustainable social, economic, and environmental development, since it has only just begun its journey in the legislative sphere.

4.3 Implementation in Academic Activities and Competitions

Legal Writing: What Sustainability means in legal terms is a crucial matter. Legal writing on the topic of Law and Sustainability will enable law students and young lawyers to practise their legal writing and analytical skills, which are pivotal while working as a legal practitioner. Such legal writing can take the form of

- Essay competitions on the (sub-)topics falling under Law and Sustainability (i.e.);
- Collaboration with universities/educational institutions/publishing houses engaged in the study and research of the (sub-)topics falling under Law and Sustainability;
- Law reviews focusing particularly on Law and Sustainability.
- Legal Research Groups on the topic of Law and Sustainability enable comparisons on the regulatory developments in different countries;
- ELSA for Schools -

Lawyers at Work (L@W) - engaging ELSA members directly in how legal professionals operate in the field(s) covered by the topic of Law and Sustainability, and how legal tools are incorporated in the daily work of a lawyer to reach and implement sustainable development. The strength of this format is to involve new professionalities as ESG professionals for companies and law firms.

Social Responsibility: One of the main purposes of ELSA is promoting social responsibility, i.e. contributing to the development of individuals willing to fulfil their civic duty. Hence, social responsibility should be incorporated into all projects and activities. The IFP is a perfect means to implement social responsibility. Thus, when planning your IFP campaigns/events, set a goal you wish to achieve with your initiative. Achievement of this goal should be measured inter alia by the level of impact your initiative made on society in general. As an example, an ELSA Group may decide to organise a series of ELSA Webinars, with the goal of making society aware of the threats to their fundamental rights, deriving from the lack of care of the ESG factors at work or university or society in general. After each ELSA Webinar, the organiser writes a brief conclusion reached by the speaker(s) regarding the main topic and compiles all of the conclusions reached in order to publish short guidelines, listing mentioned threats and preventive measures. **The ELSA Group now has a tool which may be distributed to the local community, universities and schools.**

Competitions: Negotiating, interviewing, and debating enable participants to expand their knowledge on a particular topic, while exploring many points of view and being open-minded to understand the problem fully. Legal Debates on Law and Sustainability may be controversial and will, therefore, bring the attention of many young people to the issue which will initiate discussions. Academic Competition could take the form of: Moot court competitions exploring the (sub-)topics falling under Law and Sustainability through either the substance of the case or Sustainability shaping the procedure of the legal proceedings (cf. telematic trials);

- Negotiation Competitions – negotiating new ESG solutions and therefore policies for companies and law firms;
- Legal Debates – debating topical issues of Law and Sustainability;
- Moot Court Competitions - issues related to protection of the environment, business development and

energy law.

4.4 Implementation in Seminars & Conferences

General: Seminars and conferences are some of the most commonly organised events within the Network. They are relatively simple to organise, and they have a high potential for improving the knowledge of participants. Organisation of conferences and seminars focused on Law and Sustainability, would be an exemplary case to increase the range of knowledge and understanding of Law and Sustainability.

ELSA Webinars: An ELSA Webinar is a presentation, lecture, workshop or seminar that is transmitted over the web using video conferencing software. Not only does it allow for a larger group to attend the event, it also makes your event more attractive, as you learn about Law and Sustainability, using the means of Sustainability to solely conduct the event.

ELSA Law Schools: An ELSA Law School concentrated on Law and Sustainability gives an opportunity for its participants to learn about the topic from speakers from all over the world. It also facilitates networking with peers from different countries, sharing the same passion toward law and Sustainability.

International Conferences of ELSA: Organising a conference of academically focused Law and Sustainability should prove a great way to gather law students, legal academics and professionals in the field to facilitate awareness raising and networking.

ELSA Delegations: Several institutions and conferences are organised in the field of Law and Sustainability, and hence, sending ELSA Delegates to such is an excellent way to raise awareness on the topic and get first-hand knowledge on the topic from the lawmakers.

4.5 Implementation in Professional Development

At a time when the classic legal profession is leading to new job prospects, this area could benefit enormously from the proposed topic. To mention just a few emerging sectors that represent the labour market of the coming years, we could underline **energy law** and **corporate social responsibility**.

The young lawyer is thus open not only to law firms, but also to companies, start-ups and institutions. Considering the practical relevance of the topic and the fact that is still underdeveloped inside our field of studies, Professional Development could benefit from this IFP Topic both directly by creating ad hoc events and indirectly, since the increase of events from other Areas could lead to a growth in selected people in the ELSA Traineeships programmes around the Network due to the particular lack of knowledge about sustainability and law in the offer of workers in the law market today.

Several existing and prospective Traineeship Providers are active in the field of the (sub-)topics falling under Law and Sustainability. Undertaking such traineeship vacancies provides ELSA members with the perfect opportunity to either analyse the issue with theory or work with technological tools in the legal profession.

Moreover, the topic of Law and Sustainability complements well the discussions about the future of legal profession generally by e.g. exploring the possibilities of online traineeships that can improve the managerial skills of young lawyers.

Furthermore, one of the formats that see an interesting collaboration between this area and Academic Activities is the *Law Clinics*, a format that is still growing and that could find in this topic the right push to become an ELSA standard format.

4.6 Implementation in Internal Management

Human Resources in ELSA are the most precious resources to take care of. Implementing good practices and policies in ELSA from the sustainability perspective means developing knowledge and awareness of ELSA Members as Officers about it, especially social sustainability. Creating internal policies related to good sustainable practices gives also more accountability to ELSA as an association which takes care concretely of the implementation of sustainability practices, not only from academic knowledge point of view.

4.7 Implementation in Marketing

The Sustainable Development Goals (SDGs) logo, including the colour wheel and 17 icons are available for use in the six official languages of the UN (Arabic, Chinese, English, French, Russian, and Spanish). We are able to use the SDG logo without the UN emblem and the Sustainable Development Goals icons and colour wheel as per our guidelines. In this manner, we can exploit the UN visibility to give all of the events a further quality certification both for partners and students.

- [SDG Logo Guidelines](#)
- [SDG Logos for non-UN Entities](#)

V. SECURING IFP PARTNERSHIPS

The sections below outline the steps necessary to secure an IFP partnership. Please note that these guidelines are not exhaustive, and it is recommended to consult the BEE guidelines.

5.1 Why have an IFP Partner?

Having an IFP partner can give you many benefits, some of them are

- **Easier access to professionals** in the specific field, who can then become speakers, juries, and mentors for the ELSA members and events;
- **Monetary and non-monetary support**, e.g. giving out a traineeship for a winner of the IFP competition;
- **Bigger visibility and credibility** of your IFP related initiative inside the legal world and the society.

5.2 Who should you contact?

When deciding who to contact, you need to clarify what you want from the partnership:

- Bodies such as educational institutions and research centres specialised in Sustainability can provide expertise, knowledge and human resources for webinars, lectures etc.
- Private firms can offer monetary support as well as logistics in the form of venues.
- Start-ups specialising in the field of sustainability can support you with expertise and multiply your IFP event's impact in the world of Law and Sustainability.
- Many associations specialised in Sustainability can hence provide credibility to your campaigns.
- University professors can assist in moot courts, essay competitions, seminars etc.

5.3 How to initiate contact?

Before contacting a prospective partner, make sure that you have substantial knowledge of the IFP topic, so that you can develop a discussion about the possibilities and the nature of your partnership and bring fresh ideas to the table. The first contact with a prospective partner will often be via email. The email should include:

- A short description of ELSA;
- The partnership proposal;

- What you are able to offer;
- A note that you reserve to call within a specified period of time;
- An attachment of any informative promotional material.

You need to make sure that the email is concise and outlines what you are looking for and what you are offering. Many organisations often do not respond, so it is important to have a follow-up strategy.

When it comes to the phone call:

- Refer to the email to set the basis to proceed;
- Try to arrange a personal meeting or lay the foundation for continuous communication;
- Keep it concise and professional.

If you manage to arrange a meeting:

- Prepare accordingly, since you are representing a whole Network;
- Take another member of the board with you (e.g. President) or one of your directors;
- Bring promotional materials with you.

At the end of the day, what you need to prove to the prospective partner is that it is a win-win proposal and a great opportunity that will offer them advertising and a big audience of ambitious students and practitioners.

5.4 Selling the IFP

IFP offers several benefits for a prospective partner:

- It is specific to one topic and can hence provide the **partner visibility** and recognition in a field that is current and interesting.
- It can be a **great recruitment opportunity**, as the members participating in the IFP projects are internationally-minded and forward-facing.
- The **three-year period** highlights the fact that ELSA sets **long-term goals** and develops the appropriate **strategy to achieve them**. This is a strong card for you in order to build a long-term partnership.
- The IFP is implemented throughout the ELSA Network, and hence, the partner gets associated with a Europe-wide initiative.
- The topic of Law and Sustainability offers the partner an opportunity to collaborate on futuristic and inventive projects, projecting that they are **innovation-driven** and focusing on the future of law.

VI. CONTACT

Should you wish to learn more about the IFP on Law and Sustainability, please do not hesitate to contact the IFP referres:

- Vice President in charge of Academic Activities: academicactivities@elsa.org;
- Vice President in charge of Seminars and Conferences: seminarsconferences@elsa.org;
- Director for International Focus Programme: ifp@elsa.org