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Durham Law School

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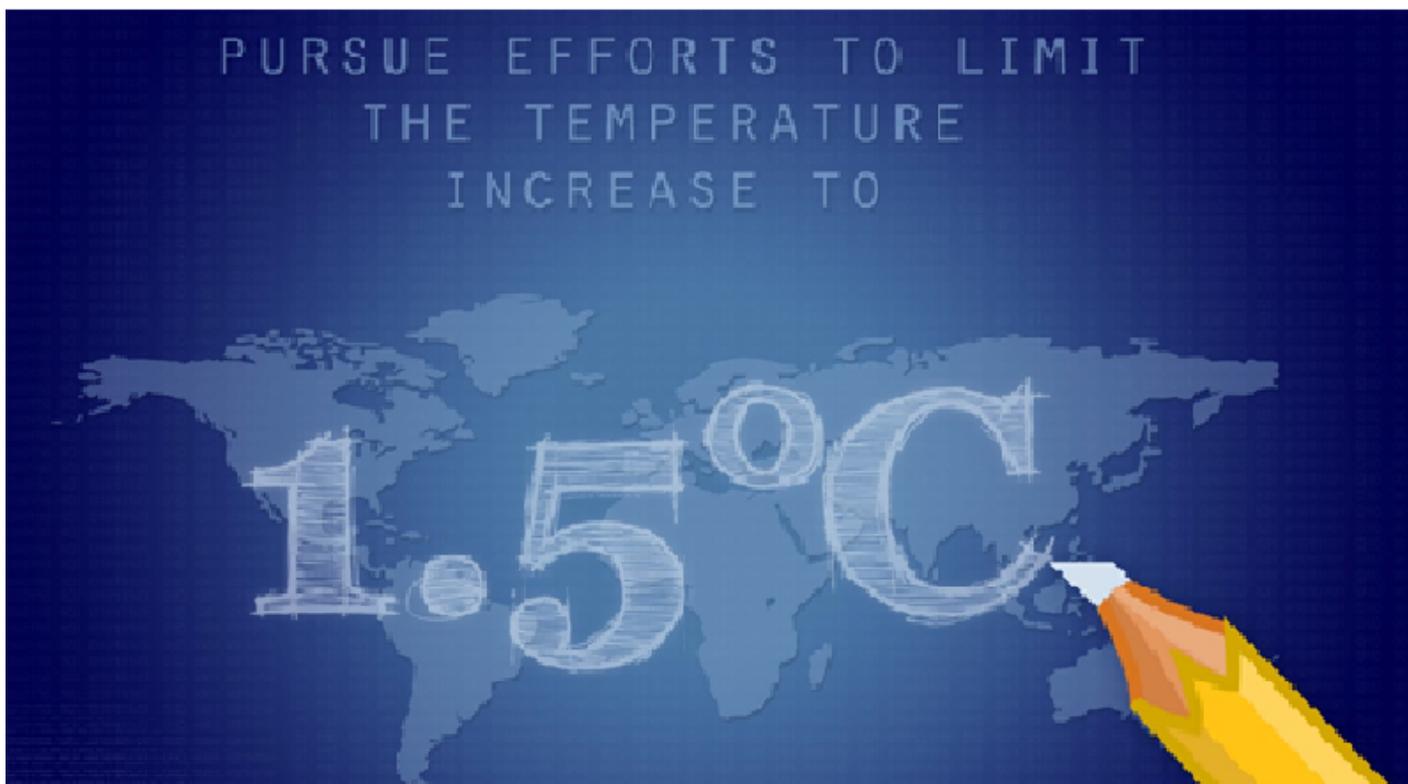
Challenges to a Sustainable Recovery: International Law, Climate Change and Public Health



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CENTRE FOR INTERNATIONAL LAW
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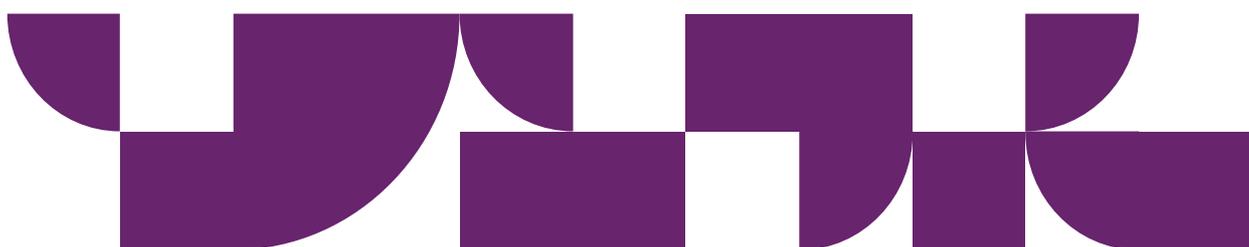
THE OHIO STATE UNIVERSITY
MORITZ COLLEGE OF LAW



Centre on
Climate Change &
Planetary Health



University of Dundee



Durham University, Durham Law School, in collaboration with:
 Centre for International Law, National University of Singapore
 Centre for Energy, Petroleum and Mineral Law & Policy, University of Dundee
 Centre on Climate Change and Planetary Health, London School of Hygiene and Tropical Medicine
 Environmental Change Institute, University of Oxford
 Michael E. Moritz College of Law, Ohio State University
 University of Dundee, Dundee Law School

Is delighted to present an international, multi-disciplinary conference in Durham, United Kingdom, 15th and 16th of September 2021:

Challenges to a Sustainable Recovery: International Law, Climate Change and Public Health

“If we objectively view climate change and the loss of nature as world-wide security threats – as indeed, they are – then we may yet act proportionately and in time.”

Sir David Attenborough

In the wake of the COVID-19 pandemic and the call for a “green recovery”, the new US administration has called climate change an “existential threat”. The World Health Organisation has stated that “Climate change is the greatest threat to global health in the 21st Century”. Climate scientists discuss a range of different climate futures, and these are largely dependent on the level of global ambition for climate action. Accelerating the economy-wide decarbonisation for climate change mitigation can yield major co-benefits for health, for example by reducing the effects of air pollution on health since in many cases the sources of air pollutants and greenhouse gases are the same.

Is international law equipped to support a sustainable recovery from the current pandemic that promotes public health and healthy ecosystems, including protecting biodiversity, to achieve the climate goal of the Paris Agreement? This multi-disciplinary conference will bring together experts from international law, climate science and epidemiology, to discuss some of the complex linkages between air pollution, climate change, biodiversity loss and human health. These interactions may concern not only the underlying causes of the current public health crisis and the climate crisis, but also the responses to them where co-operation of states is urgently required to work towards achieving common objectives and protecting global public goods. Science can inform states' action and point towards consequences of inaction, by predicting the probable impacts of different decisions but rarely gives a definitive single option for policy- and lawmakers. Scientific models and warnings are important for setting climate targets to mitigate climate change, to adapt to the forecasted impacts of climate change, and to return to a “better normal” after the COVID-19 pandemic. A sustainable recovery from both crises requires us to strengthen the legal response that takes the science into account and addresses both emergencies simultaneously and immediately.

This conference is funded by the Society of Legal Scholars.

For academic enquiries, please contact petra.minnerop@durham.ac.uk. For logistical queries, please contact law.researchofficer@durham.ac.uk. Please note that if UK Government regulations prevent a physical event, this event will take place virtually on 15th and 16th September.

Programme

Please note that panel allocation and timings are tentative and may be subject to change.

DAY 1: 15th September, 2021

8:30-9:00 - Coffee/Tea and Registration

Panel 1: A Challenged World: Theoretical Foundations for Global Crisis Management

Chair: Nilufer Oral

9:00-9:20 Claire O'Malley (Pro-Vice Chancellor, Global): Opening and Welcome

9:20-9:30 Petra Minnerop: Introduction into Programme and Welcome

9:30-10:00 Thom Brooks: Climate Equity for an Endangered World

10:00-10:30 Patrícia Galvão Teles: International Law, Climate Change and Pandemics: Reactive vs. Proactive Approaches

10:30-10:50 Q&A

10:50-11:10 Coffee/Tea & Refreshments Break

11:10-11:40 Saleemul Huq: Loss and Damage from Human Induced Climate Change: A Perspective from the Most Vulnerable Countries

11:40-12:10 Dan Bodansky: Climate Intervention Research and the Need for Preparedness

12:10-12:30 Q&A

12:30-14:00 Lunch

Panel 2: Elements of a Sustainable Recovery and Long-Term Planetary Health

Chair: Deirdre McCann

14:00-14:30 Justice Preston: Climate Consciousness and the Law: Call and Response

14:30-15:00 Markus Gehring: Sustainable Economic Recovery after Covid-19: Committing to International Co-operation, Trade and Investment

15:00-15:30 Olivia Woolley: What Would Ecological Climate Change Law Look Like?

15:30-15:50 Q&A

15:50-16:10 Coffee/Tea & Refreshments Break

16:10-16:40 Volker Roeben: The EU Green Deal: Synergies Between Climate, Energy and Health Action

16:40-17:10 Kristie L. Ebi: How We Know That Climate Change is Causing Injuries, Illness, and Deaths?

17:10-17:30 Q&A

Tour and Conference Dinner at Durham Castle for those present in Durham

DAY 2: 16th September 2021

Panel 3: Climate Science, Health Science and Attribution

Chair: Rüdiger Wolfrum

10:00-10:30 Nilufer Oral (Key Note): Title TBC

10:30-11:00 Fredi Otto: Angry Weather – Towards an Inventory for Climate Impacts

11:00-11:20 Coffee/Tea & Refreshments Break

11:20-11:50 Andy Haines: Climate Action for Health

11:50-12:20 Petra Minnerop: The Role of Attribution Science for Preparedness in International Law

12:20-12:50 Lindene Patton: Title TBC

12:50-1:10 Q&A

1:10-2:00 lunch

Panel 4: Re-imagining the Legal Response to Pandemics and Climate Change

Chair: Eva-Maria Nag

2:00-2:30 Rüdiger Wolfrum: Title TBC

2:30-3:00 Colin Reid: Undoing the Past: Reversing Legal Trends to Find Collective and Long-term Solutions that Value the Natural World

3:00-3:20 Q&A

3:20-3:40 Coffee/Tea & Refreshments Break

3:40-4:10 Cinnamon Carlarne: Climate Justice as Public Health

4:10-4:40 Thom Wetzer: Title TBC

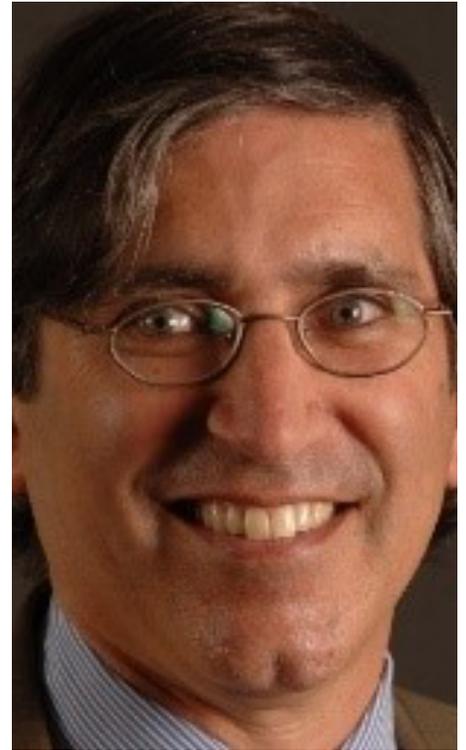
4:40-5:00 Q&A and Closing



Biographies

Daniel Bodansky

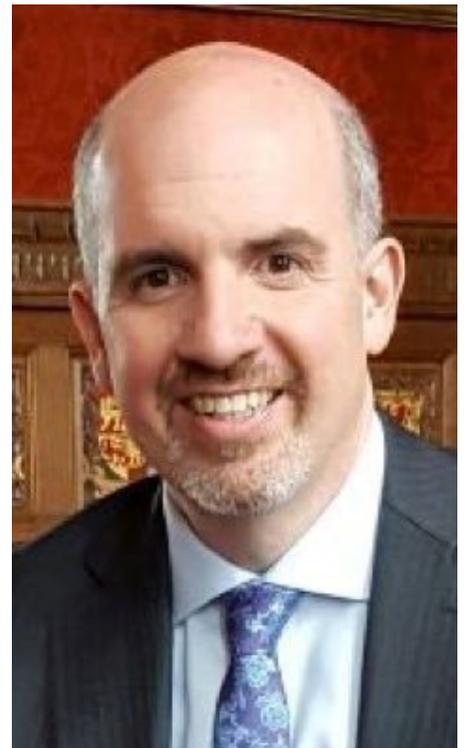
Daniel Bodansky is a Regents' Professor at the Sandra Day O'Connor College of Law, Arizona State University. He served as Climate Change Coordinator at the U.S. State Department from 1999-2001 and as attorney-adviser from 1985-1989. Prior to joining the ASU faculty in 2010, he taught at the University of Washington School of Law and held the Woodruff Chair of International Law at the University of Georgia. His book, *The Art and Craft of International Environmental Law*, received the 2011 Sprout Award from the International Studies Association as the best book that year in the field of international environmental studies. His latest book, *International Climate Change Law*, coauthored with Jutta Brunnée and Lavanya Rajamani, was published by Oxford University Press in June 2017, and received the 2018 Certificate of Merit from the American Society of International Law as the best book in a specialized area of international law published the previous year. He is a member of the Council on Foreign Relations, served on the Board of Editors of the *American Journal of International Law* from 2001-2011, and is a graduate of Harvard (A.B.), Cambridge (M.Phil.) and Yale (J.D.).



Thom Brooks

Thom Brooks is an award-winning author, columnist, policy advisor and public speaker. He is the President of the Society of Legal Scholars (the oldest and largest learned society for academic lawyers), an Executive Committee member of the Fabian Society (the UK's oldest think tank, taking Keir Starmer's vacated place when he became leader of the Labour Party) and an Executive Committee member of the Society of Labour Lawyers. Brooks is Director of the Labour Academic Network, an independent group of academics supporting Labour Party policy development, and an Academic Bencher of the Honourable Society of Inner Temple.

He appears frequently on television, radio and in print media discussing immigration & citizenship, Brexit 'Brexpert' and "the man behind Remain and Leave" vote, British politics, punishment & sentencing, US politics and other topics as a highly sought after commentator and expert. His general research interests are in ethics, law and public policy.



Cinnamon Piñon Carlarne

Professor Cinnamon Piñon Carlarne is the Associate Dean for Research and Intellectual Life & the Alumni Society Professor of Law at the Ohio State University Moritz College of Law. She is a leading expert in environmental law and climate change law and policy. Prior to joining the Moritz faculty, she was an assistant professor at the University of South Carolina School of Law.

From 2006-08, Professor Carlarne was the Harold Woods Research Fellow in Environmental Law at Wadham College, Oxford, where she was a member of the law faculty and the Centre for Socio-Legal Studies. She previously taught at the University of Cincinnati Center for Environmental Studies. Prior to that, she was an associate attorney in the Energy, Land Use, and Environment section at Akin Gump Strauss Hauer & Feld in Washington, D.C.

Carlarne's scholarship focuses on the evolution of system of domestic and international environmental governance, with a particular focus on questions of domestic and international climate change law. Her scholarly work includes a book on comparative climate change law and policy with Oxford University Press; a Foundation Press text on climate law with Dan Farber; the Oxford Handbook of International Climate Change Law; an extensive series of journal articles and book chapters exploring questions of domestic and international environmental law; and a textbook on Oceans and Human Health and Well-being. She is on the editorial board for Transnational Environmental Law (Cambridge University Press) and the academic advisory board for Climate Law (IOS Press).



Kristie Ebi

Dr. Kristie L. Ebi is Professor in the Department of Global Health, University of Washington. She has been conducting research and practice on the health risks of climate variability and change for nearly 25 years, focusing on understanding sources of vulnerability; estimating current and future health risks of climate change; designing adaptation policies and measures to reduce risks in multi-stressor environments; and estimating the health co-benefits of mitigation policies.



Patrícia Galvão Teles

Professor Patrícia Galvão Teles is a member of the UN International Law Commission and Associate Professor of International Law at the Autonomous University of Lisbon. She is a member of the Permanent Court of Arbitration and is currently Vice-President of the Portuguese Society for International Law. She is also Adjunct Senior Researcher at the Centre for International Law (CIL) of the National University of Singapore and Co-Director of the CIL eAcademy - Singapore Academy of International Law. At the International Law Commission, she was General Rapporteur at the 70th Session in 2018 and Chair of the Drafting Committee at the 72nd Session in 2021. Since 2019, she is Co-chair of the Study Group on the topic "Sea level rise in relation to International Law".



Markus Gehring

Dr Markus Gehring, J.S.D. (Yale), MA (Cantab), LL.M (Yale), Dr iur (Hamburg), teaches EU and International Law at the Faculty of Law in the University of Cambridge. He is an Expert in the Centre for European Legal Studies (CELS), Fellow and Director of Studies in Law at Hughes and a Fellow of the Lauterpacht Centre for International Law. He has been a Visiting Professor in several law faculties around the world and held a Jean Monnet Research Chair ad personam in Sustainable Development Law at the University of Ottawa Law Faculty in Canada and served as Sir Athur Watts Senior Research Fellow in Public International Law at the British Institute for International and Comparative Law. In his former department at Cambridge, Politics and International Studies (POLIS), he serves as affiliated Lecturer in European and International Law. He is also an affiliated Lecturer in the Department of Land Economy and a Fellow of the Centre for Environment, Energy and Natural Resources Governance (C-EENRG). He holds a J.S.D. and LL.M from Yale and a Dr iur from Hamburg. A member of the Frankfurt/Main and Ontario Bars, he practiced European and international trade law with Cleary Gottlieb in their Brussels office. Prior to joining Cambridge, he was a tutor in Public International Law at University College, Oxford. He serves as Lead Counsel for Sustainable Trade, Investment and Finance Law with the Centre of International Sustainable Development Law (CISDL), based at McGill University. He edits the book series on Implementation of Sustainable Development Treaties with Cambridge University Press and is author of several publications on EU, International and Sustainable Development Law.



Sir Andy Haines

Professor of Environmental Change and Public Health,
Centre on Climate Change and Planetary Health,
London School of Hygiene & Tropical Medicine.

Andy Haines was Director of the London School of Hygiene & Tropical Medicine from 2001- October 2010. He was a member of the Intergovernmental Panel on Climate Change for the 2nd and 3rd assessment exercises and was review editor for the health chapter in the 5th assessment. He chaired the Scientific Advisory Panel for the 2013 WHO World Health Report, the Rockefeller /Lancet Commission on Planetary Health (2014-15) and the European Academies Science Advisory Council working group on climate change and health (2018-19). He currently co-chairs the InterAcademy Partnership (140 science academies worldwide) working group on climate change and health and is also co-chairing the Lancet Pathfinder Commission on health in the zero-carbon economy. He has published many papers on topics such as the effects of environmental change on health and the health co-benefits of low carbon policies. His current research focuses on climate change mitigation, sustainable healthy food systems and complex urban systems for sustainability.

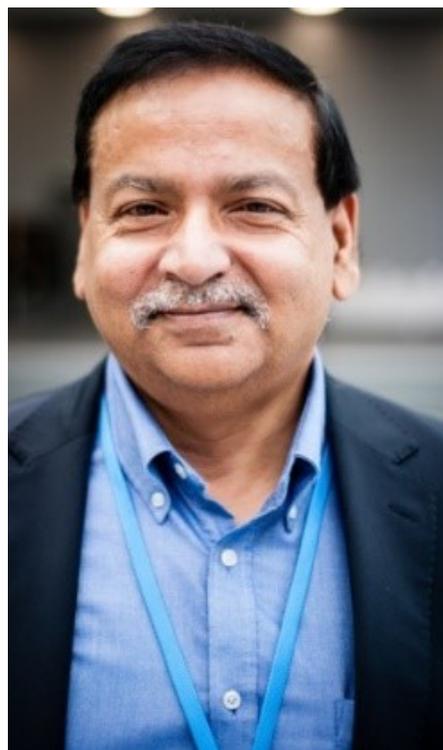


Saleemul Huq

Dr Saleemul Huq is the Director of the International Centre for Climate Change and Development (ICCCAD) and Professor at the Independent University Bangladesh (IUB) as well as Associate of the International Institute on Environment and Development (IIED) in the United Kingdom as well as the Chair of the Expert Advisory Group for the Climate Vulnerable Forum (CVF) and also Senior Adviser on Locally Led Adaptation with Global Centre on Adaptation (GCA) headquartered in the Netherlands.

He is an expert in adaptation to climate change in the most Vulnerable developing countries and has been a lead author of the third, fourth and fifth assessment reports of the Intergovernmental Panel on Climate Change (IPCC) and he also advises the Least Developed Countries (LDC) group in the United Nations Framework Convention on Climate Change (UNFCCC).

He has published hundreds of scientific as well as popular articles and was recognized as one of the top twenty global influencers on climate change policy in 2019 and top scientist from Bangladesh on climate change science.



Deirdre McCann

Deirdre McCann is a Professor at Durham Law School. Her research is in the field of labour law and policy at the domestic and international levels. It has a particular focus on the influence of flexibility discourses on labour market regulation, precarious work, the measurement and comparison of labour law regimes and the influence of state norms in low-income settings. Her publications include *Regulating Flexible Work* (Oxford University Press 2008).

A former official of the International Labour Office in Geneva, Professor McCann has substantial experience in advising international policy actors, governments, and civil society organisations on labour law and policy. In recent years she has acted as an independent expert to the European Commission on the revision of the EU Working Time Directive and International Labour Organization on the Domestic Workers Convention, 2011 (No 189).

Professor McCann is a founder and Co-Chair of the Organizing Committee of the international research Network on Regulating for DecentWork [<http://www.law.unimelb.edu.au/rdw>], a global interdisciplinary network of researchers and policy-makers that promotes innovative approaches to labour market regulation. She is on the editorial Board of the *Industrial Law Journal* and a member of the Advisory Committee of the Labour Law Research Network [<http://www.ilo.org/public/english/iira/study/labourmarket.htm>].



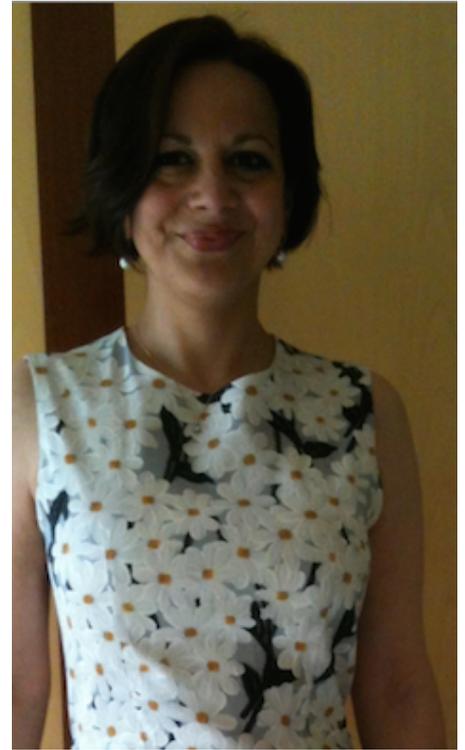
Petra Minnerop

Dr Petra Minnerop is Associate Professor of International Law at Durham Law School. Her scholarship encompasses the international, transnational and national perspective of climate law, and the intersection of law and science. Petra has published widely on liability in international environmental law, climate protection agreements, human rights law, the classification of states under international law and on EU citizenship. She has held academic positions at the Universities of Dundee, Munich and Göttingen, and worked as Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg, and at the Max Planck Foundation for International Peace and the Rule of Law, Heidelberg. Petra is a member of the Bar (Germany). She has worked for German Foreign Office, Berlin, and for the Permanent Representative of Germany to the United Nations, New York. She has advised the German Federal Environmental Agency on liability in international environmental law and she regularly works as an expert reviewer for the Intergovernmental Panel on Climate Change (IPCC). Petra is the founder of the International Research Advisory Board (IRAB), www.irab.co.uk



Eva-Maria Nag

Dr. Nag is the Executive Editor of *Global Policy Journal* and Co-Director of the Global Policy Institute at the School of Government and International Affairs, Durham University. Eva-Maria received her PhD on Indian political thought from the LSE. An expert in comparative political theory, her research interests include theories of democracy and violence in South Asia, ideational implications of multipolarity in the international system, climate governance in the developing world, and critical interpretations of the Anthropocene.



Nilüfer Oral

Dr Nilüfer Oral is Director of the Centre for International Law. Dr Oral has over 20 years of experience in the study, teaching and practice of international law. She has been a member of the Law Faculty at Istanbul Bilgi University since 1998. In 2016, she was elected by the UN General Assembly to the International Law Commission where she is co-chair of the study group on sea level rise in relation to international law. She has been nominated by Turkey to the International Law Commission (2022–2027). She has advised the Foreign Ministry of the Republic of Turkey on matters related to the law of the sea and climate change and served as a climate change negotiator between 2009 and 2016, and attended meetings held by the International Maritime Organization. She has also appeared before the International Tribunal for the Law of the Sea.

Nilüfer has worked with the International Union for Conservation of Nature (IUCN). She was elected as a member to the IUCN Council (2012–2016) and was co-chair of the Specialist Group on Oceans, Coasts and Coral Reefs (2006–2016). She has also served as chair of the IUCN Academy of Environmental Law (2013–2016). She is currently a member of the governing board of the International Council on Environmental Law (ICEL) and the steering committee of the IUCN World Commission on Environmental Law.

Nilüfer is distinguished senior scholar at the Law of the Sea Institute at the University of California, Berkeley's Law School. She was scholar-in-residence at the University of Virginia's Law School in 2005 and has lectured on several occasions at the Rhodes Academy of Oceans Law and Policy. Dr Oral has been a guest lecturer at the CIL Distinguished Speakers Series and a research consultant to the CIL Ocean Law and Policy programme. Dr Oral has also been involved as a legal expert on a number of projects with the EU, UNEP, UNDP and the Turkish Science Council on marine environmental and climate change issues.



Friederike Otto

Friederike (Fredi) is the Acting Director of the Environmental Change institute and an Associate Professor in the Global Climate Science Programme where she leads several projects understanding the impacts of man-made climate change on natural and social systems with a particular focus on Africa and India. Her main research interest is on extreme weather events (droughts, heat waves, extreme precipitation), improving and developing methodologies to answer the question 'whether and to what extent external climate drivers alter the likelihood of extreme weather'. She furthermore investigates the policy implication of this emerging scientific field. Fredi is co-investigator on the international project World Weather Attribution which aims to provide an assessment of the human-influence on extreme weather in the immediate aftermath of the event occurring.



Lindene Patton

Lindene Patton is a strategic advisor with deep experience in large loss litigation strategy / recovery; climate attribution; risk management; product development; corporate advocacy; compliance; real property data and analytics; specialty risks (professional liability, D&O, nuclear liability schema, cyber security liability, environment); sustainability and resilience.

Her specialized expertise combines business, science, technology and the law to assess and solve complex risk management and litigation issues. She has a deep understanding of the business of (re)insurance, the business of software as a service; the business of data, analytics and related hardware and cloud based business models; and many of their associated customer businesses.

Lindene is an attorney licensed in CA and DC; a Virginia licensed real estate agent and an American Board of Industrial Hygiene-Certified Industrial Hygienist, retired. She holds a B.S. in biochemistry from the University of California, Davis; a Master of Public Health from the University of California, Berkeley; and a J.D. from Santa Clara University School of Law.

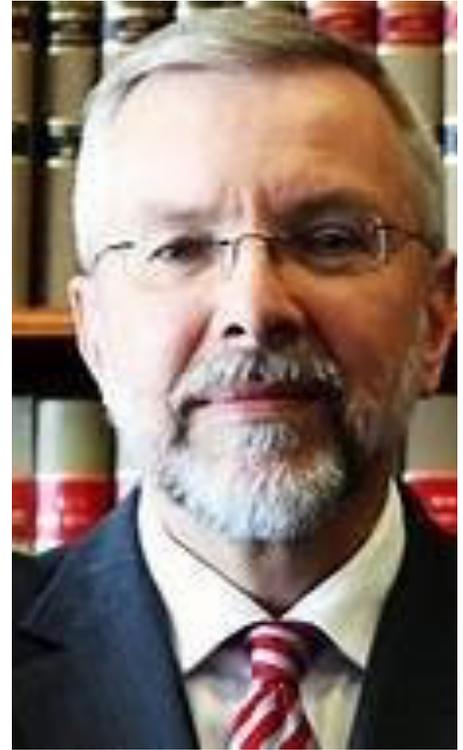


The Hon. Justice Brian J Preston FRSN SC

Justice Preston is the Chief Judge of the Land and Environment Court of New South Wales. Prior to being appointed in November 2005, he was a senior counsel practising primarily in New South Wales in environmental, planning, administrative and property law. He has lectured in post-graduate environmental law for nearly 30 years. He is the author of Australia's first book on environmental litigation and 139 articles, book chapters and reviews on environmental law, administrative and criminal law. He holds numerous editorial positions in environmental law publications and has been involved in a number of international environmental consultancies and capacity-building programs, including for judiciaries throughout Asia, Africa and the European Union.

Justice Preston is an Official Member of the Judicial Commission of NSW, Fellow of the Australian Academy of Law, Fellow of the Royal Society of NSW and Honorary Fellow of the Environment Institute of the Australia and New Zealand. He was awarded an honorary Doctor of Letters by Macquarie University in 2018. He is a member of various international environmental law committees and advisory boards, including the interim governing council of the Global Judicial Institute on the Environment. He is currently an Adjunct Professor at the University of Sydney, Western Sydney University and Southern Cross University.

In 2019 Justice Preston was a Visiting Fellow at Corpus Christi College, University of Oxford, and in 2020 was the Robert S Campbell Jr Visiting Fellow at Magdalen College, University of Oxford.



Colin Reid

Colin Reid is Professor of Environmental Law at the University of Dundee where he has worked since 1991. He has taught and written on various environmental law and public law themes, including biodiversity, climate issues and access to environmental information. On climate issues he has written about the nature of the statutory targets and duties and the relationship between UK and devolved legislation. He has been closely involved in discussions on the impact of Brexit on environmental law and governance, particularly in relation to devolution. He has given evidence to the Westminster and Holyrood Parliaments on many occasions and served as an adviser to the Environment, Climate Change and Land Reform Committee of the Scottish Parliament. He is a member of the Law Society's Environment, Marine and Climate sub-committees and was a founding member and is now a Patron of the UK Environmental Law Association.



Volker Roeben

Volker Roeben is Professor of Energy Law, International Law and Global Regulation at the University of Dundee, as well as a visiting Professor at the China University of Political Science and Law, Beijing, docent at the University of Turku and adjunct Professor at the University of Houston.

Prior to coming to Dundee, he was a Professor at Swansea University and a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law. He has held visiting professorships inter alia at the University of Chicago School of Law, has served as a clerk to Justice Di Fabio of the German Constitutional Court, and advised the Energy Charter, the European Parliament, international organisations and national parliaments.

Volker's research combines energy law with public international law, European Union law and the theory of global law, with several books and numerous articles published and a research monograph on the European Energy Union with Cambridge University Press, 2019. He is the general editor of the series Global Energy Law and Policy (Hart Publishing) and serves on the research advisory board of the Max Planck Encyclopedia of Comparative Constitutional Law. He holds an PhD from the University of Kiel, an LLM in International Law from the University of Berkeley and an LLM in European Union Law from the College of Europe Bruges. Volker qualified as Professor through this habilitation at the University of Heidelberg.



Thom Wetzer

Thom Wetzer is Associate Professor of Law and Finance at the University of Oxford and the Founding Director of the Oxford Sustainable Law Programme. At Oxford, Thom is also a Fellow of Linacre College, Senior Research Fellow at the Institute for New Economic Thinking at the Oxford Martin School, a member of the Leadership Team at the Smith School of Enterprise and the Environment, Co-Lead (Law) at Oxford Net Zero, Lead Researcher at the Oxford Martin Initiative for a Net Zero Recovery, and a member of the Oxford-Man Institute of Quantitative Finance.

Thom's research examines how law and finance can generate value and advance the public good, focusing on how we can build more resilient financial systems, improve the governance of corporations, and tackle the climate crisis. His work combines traditional legal scholarship with financial, scientific, and empirical analysis, and has been published or is forthcoming in Nature, Science, The Journal of Corporation Law, and the Journal of Corporate Law Studies. His research has featured in media around the world, including the Financial Times, Bloomberg, Reuters, and The Guardian. Thom actively collaborates with and advises governments, central banks, corporations, NGOs, and international institutions - including the Bank of England, the European Central Bank, the International Monetary Fund, the United Nations Environment Programme, and law firm De Brauw Blackstone Westbroek. He is also a Director at the Commonwealth Climate and Law Initiative.



Rüdiger Wolfrum

Prof Dr Dr Rüdiger Wolfrum is since January 2012 Managing Director at the Max Planck Foundation, following his retirement from the University of Heidelberg. During 2001-2012 he established and supervised the working group on global knowledge transfer advising and teaching in particular in Sudan, South Sudan, Somalia, Afghanistan and Iraq. Prof Wolfrum was Director of the Max Planck Institute for Comparative Public Law and International Law between 1993 and 2012. In 1996, Rüdiger Wolfrum became Judge at the International Tribunal for the Law of the Sea, he was re-elected in 1999 and 2008 and President of the Tribunal between 2005 and 2009.



Olivia Woolley

Dr Olivia Woolley is Associate Professor in Biolaw at Durham University Law School. Olivia researches and teaches in environmental law and in energy law. On the former, her research explores law's role in enabling the transition of socio-economic systems toward ecological sustainability. As part of this, she is interested in exploring how adaptation action under the Paris Agreement could and should be used as a vehicle for global efforts to reduce pressures on ecosystem functionality and move away from unsustainable ways of living. On energy law, she specialises in law relating to the production and consumption of renewable energy, and has a particular specialism in legal issues raised by the rapid growth of renewable energy production offshore. Olivia has worked in academia since 2011, including positions at the Universities of Groningen and Aberdeen, following a first career as a City of London-based solicitor specialising in commercial dispute resolution.





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