



University of
Zurich^{UZH}



Faculty of Law

Ursula Brunner Lecture Series

Sticks or Carrots in Compliance – What Makes International Law Stronger?

Prof. Dr. Caroline Foster
(Auckland Law School)



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Tuesday, 12 May 2026, 18h15-20h
Rämistrasse 59, 8001 Zurich
Room RAA-G-01

Abstract

The theory of facilitative compliance is attractive. Until recently facilitative compliance has often been accompanied by the potential to impose penalising measures. Today, however, we have a 'new generation' of facilitative compliance schemes characterised by the absence of such enforcement powers, as seen under the Paris Agreement. This turn may reduce States' legal concerns about the overlap between non-compliance procedures and international dispute settlement, and their concerns about the emergence of subsystems of state responsibility. However, by removing the clear line between compliance and non-compliance, does facilitative compliance weaken the rule of law?

The new treaties with facilitative compliance (e.g., high seas biodiversity treaty, the pandemic treaty and the Paris Agreement) seem to share certain characteristics: they hold back from imposing substantive obligations on parties. Instead, they largely impose procedural obligations, including a great many reporting obligations, to which their facilitative compliance machinery then applies. What does this mean for international law?



Prof. Dr. Caroline Foster

Caroline Foster is Professor of International Law at the University of Auckland, New Zealand. She holds degrees from the University of Canterbury and completed her LLM and PhD at the University of Cambridge. Professor Foster's research and writing has dealt among other matters with the UN General Assembly's request to the International Court of Justice for an Advisory Opinion on climate change. She has assisted the International Union for the Conservation of Nature in writing its submissions to the Court, as well as to the International Tribunal on the Law of the Sea.

Programme

- 18:15** **Welcome and Introductions**
Prof. Dr. Johannes Reich
- 18:25** **Sticks or Carrots in Compliance – What Makes International Law Stronger?**
Prof. Dr. Caroline Foster
- 19:00** **Discussion and Q&A**
Moderator: Prof. Dr. Helen Keller
- 20:00** **Conclusion**
Prof. Dr. Helen Keller

Language and Format of the Event

The event will take place in English, and the format will be in-person only. No advance registration is required, although places are limited.

The Ursula Brunner Lecture Series

The Ursula Brunner Lecture Series was initiated in 2021 by Prof. Dr. Helen Keller, Prof. Dr. Johannes Reich, and Dr. Corina Heri in honour of the late Dr. Ursula Brunner († 2019), a distinguished lawyer and legal academic who contributed prolifically to the development of environmental law in Switzerland. The lecture series is dedicated to the relationship between environmental law and human rights, especially in the context of the climate crisis. Aiming at a multidisciplinary perspective, we invite distinguished speakers to share their views on some of the most pressing issues in the field to which the